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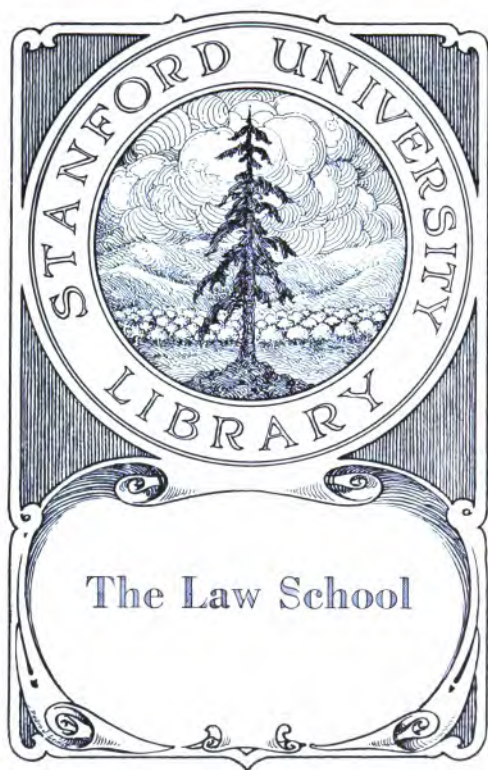
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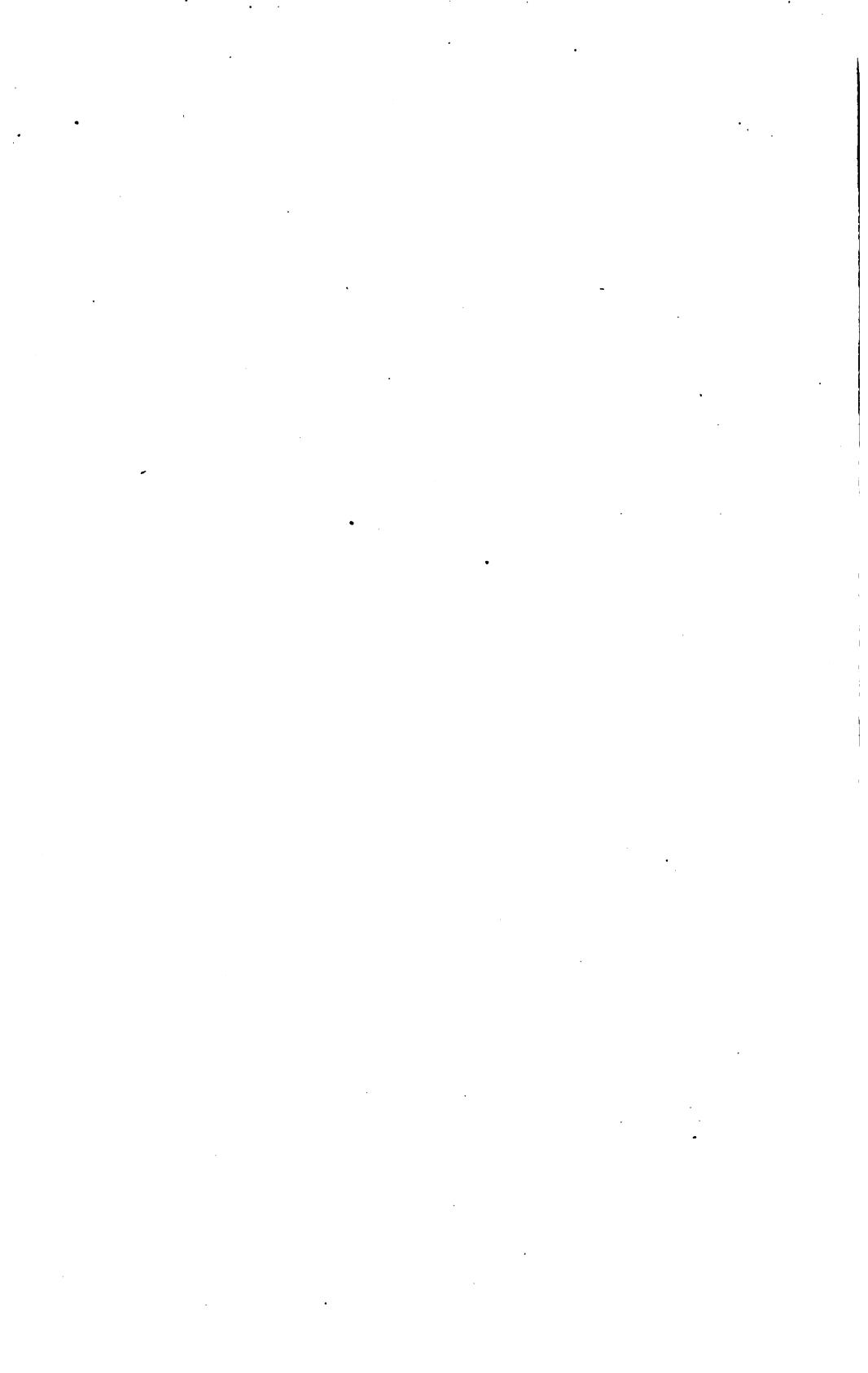
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SECOND ANNUAL REPORT

OF THE

INTERSTATE COMMERCE COMMISSION.

DECEMBER 1 1888.

WASHINGTON:
GOVERNMENT PRINTING OFFICE.
1888.

INTERSTATE COMMERCE COMMISSION.

HON. THOMAS M. COOLEY, of Michigan, *Chairman.*

HON. WILLIAM R. MORRISON, of Illinois.

HON. AUGUSTUS SCHOONMAKER, of New York.

HON. ALDACE F. WALKER, of Vermont.

HON. WALTER L. BRAGG, of Alabama.

EDWARD A. MOSELEY, *Secretary.*

REPORT

OF THE

INTERSTATE COMMERCE COMMISSION

Hon. WILLIAM F. VILAS,
Secretary of the Interior:

SIR: The undersigned, Commissioners appointed under the act to regulate commerce, approved February 4, 1887, in submitting this their second annual report as required by the twenty-first section of said act, have the honor to say:

From the best information now available, the railroad mileage of the country on the 30th day of June, 1888, is estimated at 152,781, of which 2,312 miles had been completed and brought into operation within the six months preceding that day. The railway construction in 1886 was 8,471 miles; in 1887 it was 12,688 miles. The number of corporations represented in the mileage is 1,251, but by reason of leases or other contract arrangements many corporations hold control of and operate one or more roads owned by other corporations, and the whole number making reports of operation at the date named was 665.

WHAT CARRIERS ARE SUBJECT TO THE ACT.

The carriers who are subject to the act are those who are "engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water when both are used, under a common control, management, or arrangement, for a continuous carriage or shipment, from one State or Territory of the United States or the District of Columbia to any other State of the United States or the District of Columbia," etc.

There are many railroads whose lines are entirely within the limits of a single State or Territory which are controlled or managed with complete independence, but it is doubtful if, with the exception of the municipal street and elevated roads and such roads as are purely adjuncts of mines or other local interests, there is one which does not to some extent engage in interstate traffic. All of them have traffic arrangements of some sort, under which they issue passenger tickets over other roads, or honor those which other carriers issue, or issue or accept through bills of lading, or in some other way participate in interstate business. To render the roads most useful to the stockholders and most convenient to the public this becomes a necessity. But when this is done by any road, the Commission understands that the act to regulate commerce applies to the party operating it; that such party should respond to the call for an annual report, and in the management of its interstate business should conform to the principles which the act prescribes.

There may, nevertheless, be some question as to the right of a state road which engages in interstate traffic to restrict its participation at pleasure, and thereby escape obligations which the act imposes.

In the performance of its duties during the past year it has been made apparent to the Commission that the opinion is prevalent in many quarters that railroad companies whose lines are wholly within a single State and are managed independently are not subject to the act to regulate commerce, except in so far as by entering into joint arrangements with other companies they engage in interstate traffic, and that even in such cases the regulation to which they are subject is limited to the traffic which is covered by the joint arrangements.

In numerous cases the officers of such companies expressed surprise when they were called upon to make the annual report contemplated by section 20, and were at first inclined to insist upon their legal right to exemption. But the right of Congress to require from any corporation or organization which to any extent is engaged in interstate commerce a report upon such commerce, and upon all matters respecting the conditions and the work connected therewith which it may be important to have known, in order that the commerce may be most intelligently and effectually regulated, would seem to be very clear. And if any report may be required it would seem equally clear that it may be made to cover, in the case of a carrier whose line is entirely within a State, all the particulars in respect to organization, capital, debt and working operations, which carriers whose lines are interstate are required to furnish.

State traffic and interstate traffic are so intimately and inseparably blended in the provisions which the carriers make therefor; in the carriage, the management, the handling, and the rates imposed upon the one are so likely to affect those charged upon the other, that for the proper regulation of either species of traffic as carried on by a carrier engaged in both, it is indispensable that a complete exhibit as to both shall be made. And it is but just to say here in behalf of all the carriers who were at first inclined to object to making a report that when its importance was presented to them in correspondence, and especially the desirability of making the railroad statistics throughout the entire country as complete as possible, not merely for the immediate objects of the Commission but for the purposes of permanent public record, a courteous response was in general made and report furnished or a promise of it given. The work of the statistician was nevertheless very much delayed by the necessary correspondence, and even yet it is not so complete as it would have been if all the companies had recognized from the first that the obligation to make report existed.

Another topic in this connection which has been the subject of thought concerns the responsibility of a carrier operating a State line when for any reason in participating in interstate traffic it elects to limit the participation to one or to a few species of traffic. The claim has been made by some carriers that the participation may be limited or extended at pleasure; that they may form traffic arrangements for some classes of business and decline to make them as to others; and that over their discretion in the matter there can be neither control nor supervision. The fact that traffic arrangements and joint rates must necessarily be the subject of negotiation and agreement between carriers, and that no authority has in terms been conferred by law for the making of joint rates for them against their will is supposed to be conclusive in favor of this view.

The Commission has not believed this view to be correct. It has believed and still believes that when a carrier is engaged in interstate commerce to even a limited extent it must conduct such commerce under the requirements of the act. It must not give undue or unreasonable preferences or advantages to any particular description of traffic; it must afford reasonable, proper and equal facilities for the interchange of traffic; it must not be guilty of unjust discrimination. Now, if one species of traffic were provided for by a common arrangement between two or more roads, and the same roads should decline or for any reason neglect to make corresponding arrangements in respect to traffic that would be competitive, the unjust discrimination would in some cases be very plain. Whenever it should appear a violation of law would be equally plain, and the party wronged would clearly, it is believed, be entitled to legal remedy. But when the proper remedy came to be considered it might possibly, on investigation, appear very plain that nothing would give effectual relief except a requirement that the carriers guilty of the wrong should carry the competing traffic at rates prescribed for them, but measured, nevertheless, by those which they themselves had established for the traffic they had undertaken to favor.

If this may not be done the law against unjust discrimination might in a great many cases be rendered futile and favoritism be practiced by interstate carriers at discretion. But unjust discrimination might not be altogether limited to cases like those supposed; it might be practiced in refusing to make joint rates for a traffic not competitive to any that was actually provided for by the joint arrangements. The act applies to the carriers as legal entities and prescribes for them the obligation of relative fairness; and when it is made to appear that they are guilty of subjecting "any particular species of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatever," it intends that the wrong shall be corrected. It does not apparently intend that the carriers shall be at liberty to make provision for every branch of trade but one and leave that one to be crushed with a burden of successive and combined local rates. In all this there is no hardship whatever to the carriers. The rule prescribed by the statute is one of common justice, and the more fully it is complied with the greater will be the claim of the carriers upon the public favor. It is a rule that ought to be voluntarily applied, regardless of any requirement of law on the subject.

In one case decided by the Commission it appeared that a railroad company chartered for the building of a short road wholly within one State had built and was still owning it, but had never provided itself with rolling stock, and never itself operated the road. Instead thereof the road was used and operated as a means of conducting interstate traffic from certain coal mines upon it by companies owning connecting interstate roads. Owners of other mines on the short road offered interstate traffic for carriage and it was refused on the claim that the road was not subject to the act to regulate commerce. The Commission, on complaint being made to it, held this claim to be unfounded. It was its opinion that the road thus used was one of the instrumentalities of interstate commerce, and the carriers operating it in respect to the traffic offered them were subject to the same responsibilities and duties that they would be if in ownership it constituted a part of their lines. This decision was promptly accepted and conformed to, and the cause of complaint was thereby removed.

Some further suggestions upon this general subject will be found in subsequent portions of this report.

EXPRESS COMPANIES.

In the first annual report of the Commission attention was called to the carriers who conduct the express business of the country. It was then stated that of these carriers there are several classes. Some are partnerships or joint-stock associations, while some are corporations either specially chartered or created under the authority of general incorporation acts. All these have their several names as express companies, and as such they make bargains with the railroad companies for the transportation of their freight and of their agents at a compensation agreed upon. This compensation is likely to be a definite share in the gross receipts from the traffic; and each of the several express companies has a territory of its own, so that each railroad company carries the freight and the agents of one only.

It was further stated, however, that certain of the railroad companies had undertaken to do the express business on their own lines through their own agencies. The Baltimore and Ohio did this for a time, and then sold the business to one of the existing express companies. Some of the western railroads combine for the purpose, and for convenience create a nominal corporation to do the business over their several lines and divide the net proceeds. In organization and general methods this corporation resembles some of the fast freight lines of the country, the railroad companies being the nominal corporators, and the business done being in every sense railroad business, though for convenience carried on by the several companies through a common agency.

It was further pointed out that there is no recognized distinction between what shall be considered express freight and what not, except that which concerns the method of transportation. Express freight is commonly; though not always, taken in cars attached to passenger trains, and, however taken, it is expedited beyond what is possible with freight in general; any freight is taken express for which the owner consents to pay the charges. These charges are much greater than are made upon ordinary freight of like or similar kind.

The Commission then proceeded to state and to consider the question whether this express business was subject to regulation under the act to regulate commerce. The objections made thereto by the several express companies on grounds of convenience were considered and pronounced to be of little force. The further and more important question, whether the language of the act by fair construction applied to them was not found to be easy of solution. So far as the business was done by the railroad companies themselves, either directly by their managing officers or indirectly and through nominal corporations created for the purpose, the Commission believed it was subject to their regulation, but it did not think that the terms of the act were sufficiently clear to warrant its asserting jurisdiction over the express companies which are independent of the railroads. In conclusion it was said:

The Commission is of opinion that the question is one which Congress ought to put beyond question by either expressly or by designation including the express companies or by excluding them. The railroad companies that see fit to do their own express business ought not, either as respects principles or methods, to be subjected, in the management of such business, to any different control or regulation from that which the independent express companies of the country are required to obey. If the latter are not within the contemplation of the act to regulate commerce, all ex-

press business, by whomsoever carried on, should be excluded. Justice to the public, as well as to that business, demands that it be governed throughout the country by rules of general application, which shall not be dependent on mere forms or on the will of those who happen to be in the control of the railroads, and therefore have the power to determine by what agencies this important portion of the business of the roads shall be conducted.

The subject thus brought to the attention of Congress has not since then in any manner been taken in hand by the Commission. It has refrained from exercising such jurisdiction as it possessed for the reason that a limited and sectional regulation, when the great mass of the business was not touched by the rules established, would be at best of little value, and might seem unjustly to put the business regulated at relative disadvantage to that which did not submit to the like control. Nor has the subject in the mean time been acted upon by Congress.

In a general way it is known to every citizen that the express business of the country aggregates an enormous volume. What this aggregate is, however, is not known, and there are no statistics in any public office which purport to give it. The national census does not show it; it is not reported to Congress. By far the larger proportion of all this business is done upon the railroads of the country, and by the use of facilities which railroad companies supply. The state gives permission to build the roads; it employs the eminent domain to compel private citizens to submit to their being built across their lands, and it subjects the franchise to the condition that the persons and the property of the people shall be impartially and at reasonable rates transported on the roads when they are built. The express company takes advantage of the State grants and superimposes an additional burden upon the eminent domain for the benefit of a business which, though resembling the ordinary business of a carrier by rail, is yet so far distinct that it escapes the restrictions which are imposed upon such carrier as completely as if it were in no manner dependent upon the sovereign grants for the means whereby it may be carried on.

The founders of the express business probably never contemplated its present growth in volume or its expansion in subjects and methods. It began with the carriage of money and other valuable packages or parcels which could not be conveniently or profitably sent as freight; and though freight was also taken express where special care or charge was needed, yet the business in the carriage of freight proper was for a long time of comparatively little importance, and the provision for it was meager compared to what it now is. The ordinary arrangements of the railroad company were supposed to be adequate to the demands of freight transportation, and the services of the expressman were not demanded in respect of it.

The whole character of the carrying business of the country has greatly changed since the express business had its origin. Time has become a far more important factor than it was then; many kinds of business have sprung up to which speedy delivery is of vital importance. Of these the business of dealing in fresh fruit and vegetables is perhaps most conspicuous; the fruits of the Gulf States are sold in every Northern State as well as in Canada, and those of California find their way to the Atlantic sea-board. Fresh fish and oysters also find markets thousands of miles from where they are taken. But these must be handled with care and delivered promptly or they suffer depreciation and perhaps total loss. The merchant in the interior, who formerly replenished his stock twice in the year, keeping necessarily a considerable capital invested in goods that might not find a purchaser, now finds it to his advantage to order his goods day by day to meet the immedi-

ate demands of his customers, which he can only do by the aid of a delivery more prompt than that which the freight lines afford. These are only illustrations of the general truth that time, in the transportation business of the country, has become a factor of vastly more importance than formerly, and that the agency which makes speediest delivery is likely to be the one called into requisition, even though its charges may be much the greater.

It thus happens that, in respect to a very large proportion of the freight which is offered for transportation, the railroad company and the express company, though not antagonistic, still occupy the position of competitors. Thus, if garden vegetables are to be taken from an interior point to one of the sea-board cities, the railroad company offers to take it as ordinary freight at a rate named, say 25 cents a hundred pounds, and deliver it by trains which average, perhaps, 15 miles an hour, at its station in the city of destination, where the consignee can call and obtain it. The express company, on the other hand, offers to convey it for a compensation perhaps four times as great, by trains averaging 30 or 40 miles an hour, and to deliver it to the consignee at his place of business. The question which these offers present to the consignee is, whether the time saved and the delivery at the consignee's place of business are of such value to the consignee as to constitute an inducement to the payment of the additional compensation demanded.

The peculiarity of this competition is, that the railroad company receives the larger share of what is paid to the express company; and this share is so much greater than it would receive for the carriage of the same property as ordinary freight that it may be tempted to make its own offers of carriage less favorable than it ought in order to discourage their being accepted. Thus, the shipper of fresh vegetables might perhaps send as ordinary freight by a train moving 25 miles an hour, when if it moved only 15 miles an hour he would feel compelled to send by express. Any special inconveniences that might attend either the loading or unloading of his freight might equally determine him against the use of the ordinary railroad facilities, and induce a resort to the agency by whose assistance these inconveniences would be avoided. When thus in the competition for carriage the interest of the railroad company is quite as likely to be against as in favor of its own offer being accepted it is hardly to be expected that its managers will at all times show the same anxiety to make the best possible freight arrangements as they would if their interests all lay in that direction. Nor would it be surprising if a suspicion should occasionally be encountered, that the service as to some kinds of freight was made less satisfactory than it ought to be, with a willingness, if not a purpose, that the express business should be gainer thereby. In a case recently before the Commission, in which complaint was made of unsatisfactory service, it appeared that the express charges on the property carried were four times the charge which was made when it was taken as ordinary freight, and that one of the complaining parties had deemed it for his interest to send by express and pay this extra charge, though he would not have done so if as ordinary freight his property had been handled to his satisfaction. Of the justice of his complaint nothing will be said here; but it is easy to see that when thus the freight and the express business are mutually related, and the manner in which the one is handled must largely affect the volume and the profit of the other, the question whether the freight service is what it ought to be is one which can not be determined without careful consideration of how the express business bears upon it; and the difficulty in solving it satisfac-

torily is increased by the fact that the carriage by express is not by law subject to the same rules which control the carriage as ordinary freight.

The feature of the express business which during the past year has been the subject of most frequent complaint has related to the refusal of several of the companies, when receiving freight from another for delivery by itself, to either advance the charges of the company from which the freight is received, or to collect them for such company from the consignee on delivery. The refusal while it continued is supposed to have rested on no better reason than unfriendly rivalry, and it subjected parties employing these agencies to a great many vexations which would be entirely avoided if the express companies were required, as the railroad companies are, to "afford all reasonable, proper, and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding, and delivering of * * * property to and from their several lines and those connecting therewith."

ADMINISTRATIVE WORK OF THE COMMISSION.

The general administration of the act during the year has been steady and progressive, and presents few features calling for special remark. In Appendix B is given a brief statement of the formal complaints passed upon by the Commission with the points decided, and Appendix C contains a further statement of the disposition or the present situation of all formal complaints made during the year under the thirteenth section of the act. The great majority of complaints, however, have been laid before the Commission informally, and have either presented matters over which the Commission has no jurisdiction, or they have been adjusted with its assistance by correspondence with the complainants and the carriers, or in some other manner disposed of by the parties themselves. In most cases where a complaint has appeared to be *prima facie* well founded, the carriers have shown a disposition to consider it in an accommodating spirit, and have not been inclined to insist upon formal complaints or formal adjudications.

The most frequent complaint made has been of rates supposed to be excessive. It is commonly found that the parties complaining advance the fact as proof of the excess that less proportionate rates are made by the same carrier on other parts of its line, or that lower rates are made by other carriers in the same or other sections of the country. This evidence by itself, and without a showing of circumstances under which the rates are made, is not of much value; but the fact that opinions on the reasonableness of rates are commonly formed upon comparisons of the kind mentioned, and that great apparent disparities are continually found to be productive of discontent, is forcible reason for every carrier to keep at least its own rates in due proportion just as completely as may be found practicable, and to eliminate, when it may be done, all circumstances which have forced the laying of exceptional burdens on any locality or any species of traffic. It is always of importance that rates shall appear to be fair, as well as be fair in fact.

In one case decided by the Commission, the principle was laid down that carriers in making rates can not arrange them from an exclusive regard to their own interest, but that they must respect the interests of those who may have occasion to employ their services, and subordinate their own interests to the rules of relative equality and justice which the act prescribes. The case was one of the transportation of railroad ties. Heretofore it is believed not to have been unusual for railroad companies to class and rate this species of property high in order to prevent its transportation to a distance, thereby keeping the ties ob-

tainable near their own lines, for their own use, and excluding such competition by other roads as would tend to advance the market value. The Commission held this to be unwarrantable, and declared it to be the duty of the carriers to make the classification and rating of this species of property correspond to that of other property of the same general character and of corresponding value.

The principle which required this ruling is not restricted to particular states of fact; it is one of general application and should be applied by the carriers wherever the reasons on which it is based are found to exist. The obligation to do this has not always been kept in mind. It is believed that railroad companies in some cases have practiced the giving for season or mileage tickets, to the keepers of sea-side resorts, rates which were exceptionally low, while declining to give corresponding rates to other points on their lines. The ground on which this is done is understood to be, that though the number of such tickets sold may be small, the occupations of those who purchase them, and the inducements to amusement and recreation which they supply, naturally attract to their resorts many other persons who pay the regular and customary rates, and the carrier therefore consults its interest in accommodating the owners of such resorts with a specially favorable ticket. But this is not believed to be a sufficient reason for the discrimination. A large shipper of freight might on the same grounds and with as much legal justification be given exceptionally low rates because of the business his influence brings to the carrier. The act does not contemplate that influence shall either directly or indirectly be paid for by giving advantages in transportation, and a discrimination that is unjust is not rendered legal by the carrier finding a profit in it.

The Commission is confident that during the year very considerable advance has been made in the direction of putting rates upon a better proportionate basis than they have been on heretofore, and to any extent in which this has been accomplished the public is benefited. Comparatively little fault is now found with the general principles on which freight rates are claimed to be adjusted; it is from the misapplication of those principles that inequalities and injustice most commonly result.

Early in the present year the Commission became satisfied that underbilling of freight was being somewhat extensively practiced. This was not confined to any particular road or group of roads, but was prevalent even on lines which at the time were protesting most emphatically their conformity to the requirements of the law. Officers and managers of the roads condemned the practice, but nevertheless traffic was admitted upon their lines on which the billing was short, when they could have known and ought to have known the facts. The Commission made careful investigation of the whole subject, and published its conclusions.

One difficulty in dealing with this device whereby particular shippers obtained unjust advantages was encountered in the fact that in each particular case the carriers assert that they did not know of its existence; that they were imposed upon by the shipper or were unwittingly led into error by the fraud or ignorance of an agent, and proof to the contrary was difficult to obtain. Nevertheless, in most cases some degree of negligence not easily excused was apparent. The Commission considered at some length the excuses offered, and the result of its action is believed to have been that the carriers became more active and vigilant in holding their agents to their duty, and in many cases

by concurrent action established precautions for the detection of such frauds by shippers as had theretofore at times been perpetrated with impunity. These precautions rendered future excuses on their part less plausible, and the frauds, it is believed, have in consequence become very much less common than formerly. But they are undoubtedly still occasionally committed, sometimes with the connivance of agents, and sometimes through deceptions which the shippers practice upon them. The Commission thought then and still thinks that the act ought to be so amended as to impose a penalty upon shippers who, by false billing, false classification, false weighing or false report of weight, or by other devices, knowingly and willfully obtain transportation for their property at less than the regular rates.

Only two complaints were made during the year of the giving by carriers of free transportation of persons as an unlawful discrimination; neither of these was found to possess any merit, and the complaints were dismissed upon hearing. The Commission has every reason to believe that free transportation of persons not entitled to it under the exceptions contained in the act is now rare, except when given in consideration of real or pretended services, or as commissions are paid, or when ostensibly limited to State transportation. Passes are undoubtedly given to a considerable extent which are made good between points all of which are in the same State, the party giving them understanding that the act is not violated thereby.

It is probable that in some cases this understanding is erroneous. When the pass is issued for use in respect to interstate traffic, so that the giving of it is in effect the giving of a preference or advantage to the recipient over others not thus favored, it is believed that the limitation of use within a single State is unimportant to the question of legality. A rebate given on interstate traffic, but measured by the transportation within a particular State, would be no less illegal than if allowed regardless of such a limitation; and such a case seems strictly analogous to a pass given to influence interstate traffic but limited in like manner. The important fact is that something of value is given; and the effect of giving it is such an unjust discrimination as the statute condemns. And it may be doubted whether the limited pass is not illegal in any case, not coming within the exceptions of the statute, where it is given to be used or is actually used for free transportation on part of an interstate journey.

The decisions made by the Commission within the year, when against the carriers, have been accepted and conformed to with reasonable promptitude, except in two instances. The first of these was the case of the Kentucky and Indiana Bridge Company against the Louisville and Nashville Railroad Company, which involved some very important questions of law as well as of fact, and was also, as the Commission understood, only one part of a controversy some branches of which were not subject to the authority of the Commission and had already been made to some extent the subject of judicial cognizance. It was entirely proper, therefore, that the whole controversy should be referred to the proper judicial tribunal, and this is understood to have been done. The other case is still the subject of consideration by the Commission.

THE LONG AND SHORT HAUL PROVISION.

Since the issue of the first annual report of the Commission very much has been done in the direction of bringing railroad rates into

conformity with the general rule of the fourth section of the act, which makes it unlawful for the carrier "to charge or receive any greater compensation in the aggregate for the transportation of passengers or of the like kind of property under substantially similar circumstances and conditions for a shorter than for a longer distance over the same line in the same direction, the shorter being included in the longer distance." In the section of the country north of the Potomac and the Ohio and east of the Missouri the cases in which the greater charge is made for the shorter transportation are few and their circumstances are such that complaint is not often made that they operate oppressively.

In July of the present year, however, the Chicago, Saint Paul and Kansas City Railroad Company, a company having a line from Chicago to Saint Paul and Minneapolis, and which theretofore had not claimed any privilege under the act of making the greater charge on the shorter hauls, announced to the Commission its purpose to reduce very largely its rates between the termini of its road without reducing intermediate rates, the effect of which would be that from either terminus to a number of intermediate stations the rates upon any consignment would be greater than they would be on the same property if carried through to the other terminus.

The company laid down two propositions as justifying its action: first, its rates to intermediate stations were perfectly just and reasonable, and therefore there was no injustice in maintaining them; and, second, the rates between its terminal points were forced down by the unfair competition of another line, which had previously promulgated the like reduced rates and thus compelled its competitors to meet them. The reduced rates, it was insisted, were altogether below what was reasonable, but the action of the other company made them all that it was possible to obtain, and established conditions and circumstances so dissimilar to those prevailing at intermediate stations as to justify the action taken and bring it within the protection of the statute. The Commission immediately ordered an investigation and gave very full hearing to all parties interested at a convenient point in the territory affected by the rates.

On the hearing it was made to appear that the facts regarding the reduction of rates between the terminal points were as had been claimed: a competing company had reduced them to a point much below what they had commonly been on all the roads, and the evidence tended very strongly to show that this made them unreasonably low. The road which was being investigated claimed that it had no alternative but to meet them. There was no such pressure of competition at the intermediate stations as was felt at the terminals, and the circumstances and conditions governing the making of rates were, therefore, it was said, altogether different at the terminal stations to what they were elsewhere. The company could make them what they ought to be at the intermediate stations, but was compelled to accept what the competitor would allow it to get at the termini.

The reasoning seemed strong and was certainly plausible. But the question involved was a question of the construction of the act; its answer was to be arrived at on consideration of what was probably the legislative intent. It was seen that the circumstances and conditions relied upon as entitling the carrier to make the exceptional rates were not circumstances growing out of natural causes; they were not the outcome of competition by water routes; there was no peculiarity of the line which would make the rates at the termini and at other stations relatively just; the only dissimilarity in the circumstances and

conditions which attended the making of the rates at the different points was that at the termini there was sharp railroad competition and at the intermediate stations there was not.

But this was a state of things that, at the pleasure of the railroad companies acting generally, or even of single companies disposed to act in hostility, might be made to exist at any point of railroad connection in the country; and if the greater charge on the shorter haul was admissible in the case under investigation the rule of the fourth section would be of no practical value whatever. Any railroad company might by its action absolve a competitor from its obligation, and be itself absolved in return. The legislature never intended this consequence. It did not intend, as the Commission believed, that the carriers subject to the law should at pleasure thus make the rule of the statute ineffectual.

The carrier under investigation conformed to this conclusion, and graded its rates accordingly, and the objectionable rates made by the carrier complained of were also soon discontinued.

The transcontinental rates have received a large share of the attention of the Commission during the year.

Among the cases which were mentioned in the former report as then pending were those of the Lincoln, Nebraska, Board of Trade against the Burlington and Missouri River Railroad Company and others, and Plummer, Perry & Co. against the Union Pacific Railway Company and the Southern Pacific Company. In these cases it was claimed that the fourth section of the act to regulate commerce had been violated in charging from Pacific coast points to Lincoln more for the transportation of freights than was charged to Omaha. The cases were fully heard at Lincoln, where a large amount of evidence was taken. They were found to present peculiar and difficult questions growing out of conditions which could not be here stated in a paragraph, if it were important to state them now, which it is not.

The cases were taken under advisement, but before decision was announced the railroad companies forming the through lines changed their tariffs so as to give to Lincoln the same rates from the Pacific coast that were given to Omaha. As this was all that could be claimed in respect to rates for the future, the Commission abstained from any expression of opinion and gave leave to withdraw the petitions. Money claims were made against the defendants for prior violation of the law, but as the opinion of the Commission upon them would not be binding upon the parties, the Commission followed its usual course in such cases and refrained from expressing it.

The result thus obtained was largely determined by the action of the Commission in the case of Martin against the Southern Pacific Company and others, known as the Denver case. This case presented the question whether the transcontinental roads could properly exact a greater charge for transportation from the Pacific coast to Denver than to Kansas City, some 600 miles further east. It was fully heard and was treated as involving the entire subject of relative rates as between the shorter and longer hauls on all the transcontinental lines.

At the time of the hearing the carriers relied upon competition by the Canadian Pacific Railroad Company, a foreign corporation, as the justification for the rates made. It appeared that about the time when the act to regulate commerce took effect, the Canadian line, then recently opened from Vancouver Sound to various points of connection with lines in the Eastern States, entered upon an active competition for through business in both directions between all Pacific coast points

and all parts of the United States on or east of the Missouri River. Its policy was to make rates upon leading articles a little below the rates made by transcontinental lines in this country. This was designed to compel the recognition by the latter of a general principle which it asserted, that rates upon a circuitous line between like terminals should be lower than rates upon more direct lines, in order to enable the longer route to obtain some portion of the traffic; or, in other words, that natural disadvantages, operating to the prejudice of a route competing for the business in question, should be compensated by the privilege of offering to the public a lower rate.

In pursuance of this plan it arranged with a steamer line leaving San Francisco weekly for Vancouver to take shipments of freight upon through rates to various points in the Eastern States; this competition was so managed as to make itself felt successively upon different articles, consigned to various points, and was so persistently followed up that it seriously affected all through trans-continental business in both directions. Through rates were reduced on April 27, 1887, and again on May 25, 1887, and at the time of the hearing of the Denver case, in December, 1887, remained at figures which were extremely low in consideration of the length of haul and the expensive operation of the roads concerned in the traffic. Intermediate and local rates meanwhile remained as originally established on April 5, 1887.

The pressure of this situation in respect to the through business brought about an arrangement among the lines in January, 1888, by which the Canadian Pacific became a member of the trans-continental association of roads and agreed with the other lines upon through rates considerably higher than the low rates which previously prevailed. It was understood that the Canadian Pacific should be allowed certain differentials, or, in other words, that the charges by that line should be less by from 5 to 10 per cent. on the various classes than the rates charged upon the lines situated in the United States. And, no differentials being provided for at Missouri River points, the Canadian road was understood as retiring from competition in respect to that business. This plan of agreed rates with differentials in favor of the longer Canadian route still remains in operation.

One practical effect of the arrangement thus consummated was to raise local rates at points near the terminals of the different roads, by precisely the same amount that was added to the new through rates. When the hearing in Nebraska took place, in March, 1888, the whole subject as it then stood was carefully investigated, and a decision in the Denver case was announced in May, to the effect that traffic from the Pacific coast to Missouri River points did not then appear to be subject to any actual competition of controlling force by carriers not subject to the provisions of the law, and that there was no fact apparent which could justify the greater charge for the shorter haul in the case presented.

This decision was accepted by the carriers as requiring the adoption of a new system of making rates upon the trans-continental lines. The subject was entered upon, and on September 1, 1888, an entirely new system of tariffs was prepared and put in operation, affecting rates to and from all points upon nearly 40,000 miles of road, operated by eighteen different companies.

The changes made were very radical, and were in the direction of conformity to the fourth section of the law. They resulted in many reductions at intermediate points, in part compensated by some increase upon through business. As at first adjusted serious inconsistencies and discriminations were discerned in the schedules, which attracted public

attention, and were investigated by the Commission. Many changes were made and more are in contemplation; suggestions made by the Commission to the representatives of the lines have been promptly acceded to. The ocean competition is still recognized by the roads to some extent as controlling through rates upon overland traffic, and is relied upon as a justification for somewhat higher rates to points this side of the Pacific coast terminals than are made to points situated directly on the Pacific coast; it is claimed that freight is taken to the latter points at low rates by clipper ships to be there consumed or sent forward to points in the vicinity at local charges. With this exception and some others of minor importance, the rule of the short-haul provision of the law has been put in force upon the trans-continental roads, where its operation and effect can be observed under what now appear to be favorable conditions.

In the Southern and Southwestern States the Commission has had reason to think the carriers were moving more slowly in bringing their tariffs into conformity with the general statutory rule than in other sections. The Commission recognizes the existence of peculiar difficulties in those States, growing out of the fact that water competition is felt at so many points, at some of which it is of controlling force, but this would not excuse the failure to keep the rule of the statute in view, or to press towards it as rapidly as was found to be practicable. Not being satisfied that this duty has been sufficiently apprehended and observed by the carriers, the Commission has ordered an investigation to be made of the whole subject on the 18th instant at its rooms in Washington, when it is intended to make thorough examination of the existing rate sheets, and to give all parties concerned an opportunity to be heard.

It is not improbable that the carriers by land, in competing with carriers by water, have sometimes pressed the competition beyond what was reasonable and beyond what the law would justify. Rate sheets in some cases indicate that carriers by rail consider themselves justified in making any rate, no matter how low, that will take business away from a water carrier. When, however, the question is one of justification for making the greater charge on the shorter haul, the reasonableness of the lesser charge is in issue as much as that of the greater, and the justification ought to involve considerations affecting the public good.

But it can hardly be for the public good that carriers by water should be subjected to unreasonable and excessive competition; they ought, as much as the carriers by rail, to be allowed to charge remunerative rates; and the carrier by rail does not therefore make out a complete case, when called upon to justify extraordinary differences between his rates at a point of water competition and at other points, when he shows that at the former he made the very low rates because otherwise he would not have obtained the business. It may be that when the case is examined in the light of the public interest it will be manifest that he ought not to have had it; that in taking it he had pressed the competition to an extreme which, while it harmed the carrier by boat, was harmful also to points on the railroad by reason of the great disparity in rates which it created, and also because of its producing so little revenue that the burden upon other traffic was increased in consequence.

Undoubtedly the public good is best subserved when all the carriers which the needs of the country require are suffered to do business at reasonable compensation, and when their rates as between all their

patrons are relatively as nearly equal and just as under the circumstances they can be made. These are facts which are sometimes overlooked in the making up of railroad rate sheets when water competition is to be taken into account and its legitimate influence allowed for.

A pending case, not yet fully submitted, presents the question of justification of rates from local stations on the New York, Philadelphia and Norfolk Railroad for the transportation of freights to New York and Philadelphia, which are greater than are made from Norfolk to the same destinations. The contention of the railroad companies is that at Norfolk it does no more than to meet the rates made by the steamers, and that if required to equalize its rates as between Norfolk and other stations it would be forced to raise the rates at Norfolk, since the lowering of them at other points would be ruinous. But to raise the rate at Norfolk would be to go out of the business at that point.

A railroad company disposed to deal fairly with steam-boat owners in the competition for business is exposed to some disadvantages growing out of the fact that its competitor is not required to publish his rates or to maintain them. If the regular lines of boats were required by law to do this, it would tend to put the competition between carriers by boat and carriers by rail on a better footing, and would, as we believe, be in the end advantageous to both. A fair and open competition is always better than one in which one party or the other is constantly tempted to push his own measures to an extreme because he suspects his competitor is doing the same thing and has no means of knowing what the actual facts are.

THE FILING AND PUBLICATION OF TARIFFS.

The provisions of section 6 of the act, which require that all local and joint interstate tariffs, classifications and rate sheets be filed in the office of the Commission, have been enforced from the outset, and they have been found of the utmost value. It is difficult to see how any proper understanding of the traffic arrangements in use could otherwise have been had; it enables the Commission to keep abreast of all changes and to exercise, to some extent at least, the supervision authorized by the twelfth section of the act. The documents received, varying in size from single sheets to large volumes, are delivered to the officer in charge of the subject of Rates and Transportation, where they are receipted for; a general examination of their contents is made, and they are then distributed in file cases appropriated to the different transportation lines, indexes being kept so far as necessary. The system employed makes it possible for the Commission to ascertain at any time and with very little difficulty the legal rate in force for the transportation of passengers or of any article of freight between any points throughout the land.

The organization of this division embraces an auditor, an assistant auditor, a stenographer, ten clerks, and a messenger. One thousand and twenty-one separate files are kept, among which all schedules and documents relating to rates are distributed as rapidly as received. The receipt of about 500 tariffs is acknowledged daily, making about 160,000 per year. The total number received since the organization of the Commission is about 270,000.

In addition to this, contracts, agreements and traffic arrangements are also required to be filed with the Commission, and are arranged and indexed in a way to permit of their immediate production and examination at any time.

Much still remains to be done in order to assure a complete and adequate supervision of the transportation schedules furnished by the carriers. No uniformity in form has yet been reached, nor has any general system been adopted under which they are prepared. Amendments to the act, now pending in Congress, are designed to enable the Commission to enforce the adoption of better and more systematic methods, which are greatly needed, as well as to secure more complete publication of such schedules as are required to be kept for public inspection in every depot or station upon every road.

Certain circulars and orders issued to carriers in relation to the filing of tariffs and similar subjects are contained in Appendix D. The same appendix also contains the Rules of Practice in cases and proceedings before the Commission, together with a statement showing in detail the expenditures of the Commission for the period ending June 30, 1888, including the number of persons employed and the amount of compensation to each.

THE OPERATION OF THE LAW.

To what extent, if at all, the administration of the act has been harmful to the carriers is a subject upon which the views of railroad managers have from time to time been publicly expressed, sometimes to the effect that the damage has been very considerable. The Commission is possessed of no evidence showing that the general result has been otherwise than beneficial. In so far as the act puts an end to the practices before indulged in, which operated to the public detriment—such as the improper granting of free transportation, the giving of special rates and rebates, and the making of unjust discriminations—the question whether the revenue of the carriers was injuriously affected may well be considered immaterial, since the prohibition was demanded on grounds of common justice and public morality, and ought to have been declared, even though the profit from such practices were unquestionable.

But the Commission believes that such prohibition tended to benefit the revenues of the carriers and not to deplete them. It made all traffic more generally and more evenly remunerative, and at the same time to some extent relieved very much traffic from the weight of burdens which were before relatively unjust. The requirement of notice of a proposed advance in rates was also one of obvious justice, and the Commission does not often hear complaint of it. The loss most frequently brought forward as a subject of complaint is that which results from the rule of the fourth section, which has for its object the doing away with the practice of making the greater charge for the shorter transportation on the same line in the same direction. But as the act expressly makes exception of cases in which the circumstances and conditions are dissimilar, it is not conceded that the complaints of the act on this ground are well founded. If the circumstances and conditions of the longer and the shorter haul are substantially similar, the greater charge on the shorter haul can not be just, and the carriers ought not to desire the privilege of making it.

Unquestionably the railroad business of the country has suffered many and very severe losses during the past year. But these have not been due to the act to regulate commerce. One of the most serious of these came from a strike of engineers on the Chicago, Burlington and Quincy Railroad. This strike was so important, not only to the parties concerned, but to the whole public, that the Commission had intended

to make it the subject of investigation for the purpose not only of sifting the facts and of presenting a reliable history, but also for the purpose of such lessons as the facts might teach. As this became impracticable, it is only necessary here to say that the losses of the railroad company resulting from the strike were simply enormous, while those of the brotherhood, by which the strike was ordered and sustained, were, perhaps, in proportion, equally great. The strike began February 27, 1888, and was for several months a seriously disturbing factor in transportation in the whole region reached by the system of roads aimed at. It was also the cause of some subsidiary or sympathetic strikes, and as the main strike has never been declared at an end, the injurious consequences have perhaps not wholly ceased up to this day.

Serious impairment of net revenue has in several cases resulted from the construction and opening of new lines of road, involving great outlay, and at first producing comparatively little income. In some instances, such new lines have paralleled existing roads which were adequate to handle the existing traffic. In such cases they have not only imposed new burdens upon the systems responsible for their construction, but have resulted in the diminution of receipts upon competing lines.

More serious consequences have resulted from rate wars. During a considerable portion of the year rates have been unsettled in the Northwest, and from time to time the relations between the carriers, always sharply competitive, have resulted in destructive warfare. This can not, however, with any justice or to any extent be claimed to have resulted from the act, or from its administration. In so far as the Commission has had occasion to deal with questions at issue in that section of the country the effect of its decisions has been towards an improvement in the relations between the carriers instead of towards the originating or intensifying of controversies.

The same may be said of the serious contention in respect to rates, which, at the time of the preparation of this report, is in progress between the trunk line roads. As is commonly the case in rate wars, the existing difficulties had their origin in suspicions on the part of the carriers respectively that their competitors were not observing the open public rates, and the reductions were made professedly for the purpose of recovering the proportions of freight which those entering into it claimed was their due, but which they were not getting because of the secret or unlawful practices of others.

Efforts of the Commission to obtain from the parties evidence of the practices they suspected have been wholly ineffectual, and the war of rates has proceeded without the possibility of any external authority interposing effectually to bring it to an end.

The legal right of the carriers to reduce their general scale of rates to any extent under the law as it now stands is believed to be unquestionable; they have proceeded to do so to a destructive extent, and whether with any ultimate benefit to themselves is at least very questionable.

What should be distinctly understood in the matter is that the immediate losses in such cases are not in any proper sense due to the act to regulate commerce. They are, on the other hand, due to violations of the act; and if those engaged in reducing rates because of supposed improper practices by their competitors were able and were disposed to produce evidence of the practices the existence of which they charge, the enforcement of the law based upon such evidence would tend to the common benefit of all concerned.

RATES UNREASONABLY LOW.

In one case which came before the Commission within the year complaint was made of certain rates made by a railroad company as being unreasonably and destructively low. The carrier making them was competitor to several others for the freight passing between large cities several hundred miles apart, and the others averred that if compelled to meet these rates, and to continue them, they would in time be forced into bankruptcy. The only alternative would be the putting up the rates to intermediate points so as to make the greater charges on the shorter hauls; and this the law would not permit. Under such circumstances the very low rates which were complained of were alleged to be neither just nor reasonable, and therefore it was claimed they were forbidden under the act to regulate commerce, and the Commission was asked to so decide. At the same time evidence was given which it was claimed tended to show that the carrier making the obnoxious rates was not obtaining from its business a revenue adequate to its necessities; but whether the evidence was convincing the Commission did not have occasion to say.

If it is important to the public that a railroad once constructed should be maintained, the ability to make charges that will render its maintenance possible is also of public importance. When, therefore, the rate sheets are such that reasonable returns are not probable, a public injury is threatened, and the injury is accomplished when the natural result of bankruptcy is realized. It is of little moment that in the meantime the public reap an apparent benefit from the very low rates; the apparent benefit is almost always illusory, for the unremunerative rate sheets are seldom evenly balanced; they favor particular towns or particular interests, or they go spasmodically up and down, and thus unsettle prices; they are commonly made quite as much to injure competitors as to benefit the party making them, and it will generally be found that reasonable rates adjusted equitably over the whole field of service would have been as much better to the community as to the carrier itself. This, however, may not at the time be apparent; the public perceives what seems to be a benefit from low rates, and the attendant evils, which are not so obvious, may possibly not be perceived at all.

The fact which the public mind does not readily grasp in such cases is that the very low rates may be made by the carrier with full knowledge that they are not remunerative. Even in the plainest cases the truth is not always generally accepted; the rates are very properly taken as *prima facie* evidence of their adequacy, and to the public the evidence seems conclusive. And why should it not when the only legitimate business purpose in building railroads and operating them afterwards is to make money thereby?

Unfortunately the purpose to make money from railroads is not a purpose in every case to make money by legitimate operation.

A railroad may be built by those who calculate to make their profit out of the building and who expect the road, when built and paid for in money or available securities, to pass into the hands of others with whose profits or losses the constructors will have no concern. It is unquestionable that many roads have been built for which there was no legitimate demand at all adequate to their cost. The promoters may clearly perceive this and yet contemplate a profit to themselves; but the profit must then be looked for in the transfer of inevitable losses to the shoulders of others. If this is not accomplished before the road is

put in operation, the most feasible method of accomplishing it afterwards may be to make the road as injurious as possible to other roads, until some party having a valuable property to protect will take the obnoxious road in order to stop its destructive operations. Before the road is disposed of it is made use of with some such purpose in view; its rates are devised not in the expectation that legitimate revenue for its needs will be realized, but that competitors may feel its power to do mischief.

The public does not therefore misjudge when it assumes that the object the promoters have in view in building the road is to make money thereby, but it is altogether astray as to the particular means whereby the object is expected to be accomplished. Many very costly roads have been built from which the builders have realized large fortunes, but which, nevertheless, in the hands of stockholders are worthless as a source of profit. The contractors may have obtained their pay, but the foreclosure of mortgages given to secure the debt for construction has cut off the original stock, and eventually they become mere adjuncts to other roads which they might otherwise injure; as the New York, West Shore and Buffalo has become an adjunct to the New York Central; and the New York, Chicago and Saint Louis to the Lake Shore.

In estimating the public benefit from a road thus built it is necessary to begin by charging to the debit side the capital sunk in it and the damage, if any, which it has inflicted upon other roads. The benefits may be considerable. Every road supplies some local communities which would otherwise be without railroad facilities and gives to other points the benefits of competition, but the debit side is likely to be greatest until the time comes when, if it had not been sooner built the gradual increase in population and business would have created a demand for it. But so soon as the management has a legitimate revenue in view its rates must be so graded as to produce it, and they are very likely to be then made higher than would have been necessary had the road been demanded by business needs at the time of construction.

A road built in good faith and in the expectation of legitimate profits from its business is susceptible of being afterwards used for stock-jobbing purposes, and when it is so used its rates, instead of being calculated with a view to the permanent interest of the road, may be arranged with a view to make the results operate most effectually for the time being upon the judgments or the imaginations of the stock board. To this end the interest of stockholders may be sacrificed just as remorselessly as the interest of rival roads or of the general public. Roads from which no fairly-earned dividend could reasonably be expected have thus for many years been made the subject of stock speculation, and the manipulation of rates to that end has been productive of infinite mischief.

The chief evil has not been that the public has been misled as to what are reasonable rates; but the stock speculators controlling the roads have stood before the public eye as representatives of the whole class of railroad managers, and the devious ways of a few have been looked upon as characteristic of all. Declaring a dividend which has not been earned is among the devices to which persons who are at once managers of roads and stock jobbers resort. The persons likely to be most seriously wronged in such a case are those who are deceived into buying the stock for more than its value; and they are doubly wronged; first in the purchase, and afterwards in the road being charged with the burden of making up from subsequent earnings what has improperly been taken from the company's treasury. But every stockholder not a

party to the transaction and cognizant of the facts is wronged, with the sole exception of those who receive the dividend and who also dispose of their stock.

In all business corporations the stockholders are changing continually. By the rules of common right and justice the stockholders who are such at the usual time for deciding upon dividends are entitled to what has been earned during the period which the decision upon the question of dividends will cover, and they are entitled to no more. To pay a dividend not earned is to give money to some who have no just claim to it, taking it directly or indirectly from the property of others. But even if there were to be no change in stockholders, the very parties who received the unearned dividend would be wronged, since the power of the road to earn dividends in the future would almost necessarily be diminished. No effectual means of prevention has yet been suggested other than legislation to make such acts criminal, or the establishment of some public supervision of accounts and the sanction of the dividend by some public authority.

The reports which interstate carriers are required to make to the Commission may have a conservative influence, since they will increase the difficulty of making a show of profits when profits have not been realized, but accounts are easily manipulated so as to be made to tell deceptive tales, and nothing but an investigation that goes back of the report to the original accounts will enable the deception to be uncovered. But in existing legislation we find nothing which seems to contemplate that special investigation will be entered upon with no other purpose than to prevent wrongs to the corporation itself or its stockholders.

The cases mentioned are far from being the only ones in which persons having control of railroads may deliberately make insufficient rates in the expectation of profits to be indirectly and improperly derived therefrom. Every case of rate war may be regarded as one of this character. Present profits are sacrificed on a calculation that by crippling a rival or forcing an agreement or compromise on some matter of contention the loss will in time be more than made up. In the great majority of such cases the losses are found in the end to exceed the gains, and the difficulty of getting back to reasonable rates after the war is ended is sometimes very serious. Then there are a great many cases in which very low rates may be given to build up particular places or interests when corresponding rates could not be made universal. Though rates which are unjustly discriminating are forbidden by law, the line between what is admissible and what is illegal is not so distinct but that serious errors may be and often are committed, perhaps without any definite purpose to disobey the law. In such cases, rates made even through error of judgment too low, are likely to be balanced by others made proportionately too high.

The statute, in its requirement of reasonable and just rates, has had in view the protection of the public from extortion and from unfair discriminations. It does not assume that railroad companies will need protection against their rates being made unreasonably low, and it has not conferred upon the Commission any power to order an increase of rates which it can see are not remunerative. In general, therefore, it may be said that railroad managers possess the power to destroy the interests not only of their rivals, but of their own stockholders, if they will recklessly make rates that lead to bankruptcy.

In some cases, however, the exercise of the authority of the Commission to prevent acts forbidden by the statute may indirectly have a

conservative influence in respect to rates. This may be the case when discrimination between localities or between different kinds of business is complained of. A railroad company ever so much inclined to give ruinously low rates to one locality or to one species of traffic, will hesitate to do so when it understands that it will be done at the peril of having its rates to other localities or upon other kinds of traffic cut down proportionally. The liability to have this done is perhaps not as thoroughly understood as it should be. A railroad company can have no right to carry grain or dressed meats at nominal rates, and at the same time maintain highly remunerative rates on other articles of corresponding value, bulk, and ease of carriage. The law can not justify dealing with one species of the traffic by itself and waging a war of rates in respect of it, while at the same time keeping up rates upon other articles.

The tendency of the unreasonably low rates on the one species of traffic is in the direction of unreasonably high rates on others, and those who are charged the high rates, even though the charges are not at the same time increased, have a right to demand that the burdens of transportation be more equally distributed. A few years since one or more of the trunk-lines were carrying immigrants from New York to Chicago for \$1 each. When all commissions are deducted it is doubtful if they are obtaining very much more now. What legal right a carrier can have when making a charge like that to one class of passengers, to charge another \$18 is not very obvious. If the one charge is admissible on business rules, the other must be extortionate. The question whether the larger rate is not reasonable "in and of itself" is not the question which such a case presents. The true question is one of unjust discrimination. And the fact can not be ignored that the losses suffered from the unprofitable traffic must somehow be made up, and all paying traffic may in some degree be assumed to share them.

The importance of steady rates may be shown by placing in juxtaposition expressions of views on the subject made by persons speaking from altogether different standpoints. The president of a leading railroad line, in a recent public utterance, speaks of "the enormous importance of reasonable public and stable rates to the whole business of the country. Credit and prosperity in every business are dependent upon the credit of railroad securities, and those securities have now reached such an enormous volume that they furnish the real basis of our whole financial structure." A business man of Kansas City, not connected with railroads, and desirous of bringing them under further control, writes to the Commission:

The frequent and violent changes in railway rates which have taken place during the past few years, and which seem likely to be unabated, seem to me to call for new legislation in the way of amendment of the interstate commerce bill. These changes are ruinous to all business men, as well as the railways, and are the cause of great discontent among shippers everywhere, and especially to the farmers. What is needed is a fixed permanent rate, which shall be reasonable, and which can be counted upon by any one engaging in business.

Such views are being continually expressed, and they well illustrate the opinions which prevail generally in business circles.

Steadiness of rates, then, is an object to be kept in view in the public interest. In a recent passenger-rate war between roads extending east from Saint Louis joint rates were in some instances reduced several times in the course of a single day, until they were made absurdly low, the reduction being sometimes made without even waiting for the consent of connecting roads, so that parties who had purchased tickets

would have found them not honored before they reached their destinations, and been subjected to great annoyance before redress could be obtained had the connecting roads declined, as they might have done, to accept the tickets and share the losses. When the general passenger agents had sufficiently subdued their belligerent mood, the rates were suddenly advanced, with the inevitable result that parties who had calculated on the low rates and been enticed from their homes or seduced into taking any action in reliance upon them, found themselves compelled to pay more than they had reason to expect; they doubtless felt something the same sense of being wronged that the people of a neutral territory may be expected to feel when it is overrun by the armies of belligerents.

Very low rates may possibly be injurious to the public interest even when they are relatively just and are steadily maintained. This may be so irrespective of the fact that it is always for the interest of a country that the capital invested in any great and necessary industry should be reasonably remunerative. Independent of any returns to stockholders it is important that rates be remunerative, because of the effect that insufficient revenue may have upon the service performed for the public.

No State, in the exercise of its controlling authority, would ever deliberately prescribe for a railroad company a tariff of charges which would fall below a reasonable compensation for the service performed. Abundant reason for abstaining would be found in the fact that it would not be for the interest of the citizens that it should do so. The people want good railroad service, and they ought to have it at fair rates; but to give them this it is needful that the road be kept in good condition and well equipped; that the trains be sufficiently manned and well handled; that competent servants be employed and fairly paid, and that the company avail itself of all new appliances which are calculated to make the service more speedy more convenient or more safe.

But good service and unreasonably low rates are antagonistic ideas; if the latter are insisted upon the former is not to be expected. Many times in railroad history it has been found on inquiring into the cause of some great railroad calamity that it was due to the fact that some bridge had become weak, some tunnel was insufficiently guarded, some machinery defective, or some employé incompetent or wanting in vigilance because of overwork. If the road was prosperous the management would thus be shown to be inexcusable, perhaps criminal; but if the road was not prosperous, and for some reason the management had been forced to make such rates as would not give the necessary revenue for a safer service, the blame for such a calamity may be fairly subject to apportionment. The public can never be in the wrong in demanding good service when fair rates are conceded; and an enlightened public sentiment will never object to fair rates when it is understood that good service is conditional upon them.

But the public sentiment will never be enlightened as to what are fair rates, and disposed steadily to assent to their maintenance, so long as railroad managers in their absurd and destructive wars are perpetually and in the most emphatic manner, by cutting fair rates, informing the public that something less—perhaps greatly less—can be afforded.

This general subject of reasonable rates is one that addresses itself to share-holders in railroad corporations quite as forcibly as to the official boards or managers. It has been observed in some instances that

share-holders have awakened to the fact that their revenues have been seriously injured by disastrous rate-wars, which often originate from trifling causes, but once entered upon and indorsed by the responsible management of the line are persevered in because the officials are too proud to recede, or feel that they can not afford to assume the responsibility involved in apparent surrender. In other cases the president or directors of corporations have learned to appreciate the danger involved in committing the rate-making power to subordinates whose training and experience have not generally fitted them to deal with matters that involve wide questions of policy, and who being unable to grasp facts or principles outside their range of vision, determine important matters under influences often no higher than the small personal prejudices and rivalries which the business engenders. If boards of direction were frequently to exercise their authority of supervision the influence would no doubt be wholesome, but it would be even more so if stock-holders' meetings were to manifest unmistakably their purpose that their interests should not be recklessly and needlessly sacrificed.

A rate-war, under the present law, is a much more serious matter than formerly; but apparently this is a fact only to be learned by severe individual experience. Rates between terminals can not now be lawfully reduced without at the same time requiring large reductions at intermediate points, affecting purely local traffic. A reduction once made must remain operative until the notice required by law for its restoration can be given. Reductions often affect many other points than those at first in contemplation, and rates on many other commodities are drawn into the current. As is said elsewhere, the rates after a short duration are accepted by the public as the measure of future right, and even of comparisons at widely different points. Localities insist upon protection, and all manner of business interests are affected unfavorably. Values of accumulated products are depressed at innumerable points. Cut-rates must be open to the public, and not distributed to individual shippers as before.

In view of these considerations, and others that might be mentioned, the question often becomes of high moment whether, as a broad proposition, it is wiser to meet the reduced rates of a competitor, or to let the business go. Yet the decision of this question is left by important lines in the hands of subordinates who apparently have no other notion upon the subject beyond the rule that every cut rate must be promptly "met," and who are ready to proceed upon the idea, which is a further inheritance from former systems, that any methods of competition whatsoever which are deemed to yield unfair advantage, are to be assailed and reformed by cutting rates upon traffic generally, or upon such classes thereof as have been the occasion of the unfriendly controversy.

The difficulties of the whole subject are freely admitted, but the manner in which they are now met can not fail to be unqualifiedly condemned. Nothing seems more surprising than the fact that a railroad manager who will neither take steps by law to put a stop to a secret cutting of rates which he publicly charges, nor furnish evidence upon which others may do so, will nevertheless sacrifice for his share-holders millions of revenue to punish it. This is grasping the blade to strike down an adversary with the hilt. The average citizen can hardly fail to see, if the railroad manager does not, that the employment of a weapon which may injure the user even more than the adversary is not wise warfare. Rate cutting is such a weapon.

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UNITY OF RAILROAD INTERESTS.

One of the chief perplexities encountered in dealing with complaints against railroad companies arises from the fact that to the public mind the railroad interest of the country seems to be in some sense a unity, so that when there is cause for complaint in the system anywhere, the whole interest is chargeable with some degree of moral if not legal responsibility.

In the guarded exercise of the power of Congress to regulate commerce, the authority to regulate it on the railroads of the country as if they were all under the same ownership and had the same charter rights and liabilities has never by any act of legislation been asserted. The several carriers have always been treated and still are treated under the act to regulate commerce as individual and independent entities, each being responsible on its own behalf but not for others, and no attempt has been made by legislation to impose liabilities or to disturb rights contrary to the provisions of the State charters or State laws.

On the other hand, it is perfectly reasonable to expect that the carriers of the country will, in so far as it is found practicable to do so, make such joint and general arrangements among their number that the public, when availing themselves of their services, shall find an arrangement with one adequate for the purposes of any single transaction. The dealer in the most distant part of the country having occasion to make a consignment from thence to the sea-board, should, if practicable, be enabled to make his arrangement with the local agent for the whole transportation, with the understanding that the initial carrier will then see that the implied obligations which attend the undertaking of carriage are observed throughout. This, unquestionably, is what is required by general public convenience, and this requirement should, as far as possible, be met. For the most part, it may be said to be now met by the leading carriers of the country, when the consignment does not pass off their roads upon side lines which are not under their control. But it is not so universally met by the shorter and weaker lines; nor would it be so easily met by them if the disposition to do so were general.

One difficulty in the way of making such arrangements universal is connected with the necessity of having some means of enforcing among the carriers themselves the obligations, moral or legal, that would grow out of them. If one carrier is to place itself in position to be responsible for what may be done by another, it will be deemed necessary to have some means of promptly indemnifying itself when it is made to respond for the other's nonfeasances or misfeasances. And when it is considered how vast is the number of transactions which every important road must have with others, some of which before they are concluded reach out to distant parts of the country, and may involve liabilities that could not be foreseen, it must be evident that a means of indemnification sufficiently prompt and effectual would hardly be found in the right to bring a suit at law. The strength and even the solvency of a carrier might be impaired by the requirements of such a responsibility unless it had the means of prompt re-imbursement.

But the voluntary establishment of such extensive responsibility would require such mutual arrangements between the carriers as would establish a common authority which should be vested with power to make traffic arrangements, to fix rates and provide for their steady maintenance, to compel the performance of mutual duties among the

members, and to enforce promptly and efficiently such sanctions to their mutual understandings as might be agreed upon. Something faintly resembling this as heretofore has been done through the railroad associations, but the only effectual sanction which they have as yet contrived whereby the observance of good faith in their mutual dealings could be enforced was through the device of pooling their freight or earnings. Even this was imperfect, because the arrangement could always be withdrawn from at pleasure, but pooling is now out of their power, being forbidden by law. With pooling prohibited the tendency among the railroads seems likely to be in the direction of consolidation as the only means of effectual protection against mutual jealousies and destructive rate wars. The need of protection would be still greater with greater extension of liability.

But anything equivalent to consolidation of all the roads of the country under a single head, or even those of a considerable section, whether by merger or by the formation of a confederation which should have powers of legal control, or by the creation of what is now technically denominated a trust, could hardly be supposed possible even if the parties were at liberty to form it at pleasure. If the parties could come into harmony on the subject an arrangement of the sort would be so overshadowing, so powerful in its control over the business interests of the country, and so susceptible of being used for mischievous purposes in many ways that public policy could not for a moment sanction it, at least unless by statute it were held in close legal restraints and under effectual public supervision and control. The voluntary arrangements of the kind in other lines of business are already sufficiently threatening to the public interest, and the most ardent advocate of the concentration of railroad authority can not reasonably expect that anything of the sort to control the transportation of the country will be provided for by legislation. Without legislation to favor it little can be done beyond the formation of consulting and advisory associations and the work of these is not only necessarily defective, but it is also limited to circumscribed territory.

In the absence of any such concentration of authority the carriers by rail have it in their power to do very much towards establishing better relations with the public at large and towards performing better service for the public by first establishing better relations among themselves. The need of this is very imperative. So long as they are legally independent of each other it is quite possible for each of them to keep strictly within its legal obligations and still, by failing to extend the accommodations within its power, to cause great and needless inconvenience to the public. The obligation to avoid doing this, and, on the other hand, to do the exact opposite, will be obvious to any one who has in mind the purposes for which railroads are constructed.

The first requisite to the establishment of better relations among the carriers by rail would seem to be a recognition on their part of the fact that they seem to the public to constitute a *class*, with to some extent at least common interests, and likely to be controlled by the same motives. They offer to the public certain conveniences, and if the offer is accepted, they unite as far as may be necessary in complying with it. In the great majority of cases in which the service of more than one is required in a particular transaction the party requiring it comes personally into relations with one only, and however numerous may be those who unite in performing the service, he does not even in thought distinguish the parts performed by each severally, but in his mind he is one party to a transaction to which all the carriers who have served

him constitute together the other party. Then, all the carriers of the country seem to be making jointly a like offer of common service to all who will apply for it; they seem to be working together for a common object, and they share between them the results of such transactions as under their joint offers they may be called on to participate in.

It is not surprising, therefore, that to the public there should seem to be something in the nature of mutual responsibility resting upon the whole class and extending to the conduct of its members severally while engaged in the performance of services in which they thus co-operate. If this comes to be clearly seen and so far appreciated by the carriers as to be made the basis of practical action, we may reasonably hope that many things which are now done, and which are in various ways mischievous, will be abstained from, because it will then be seen how insignificant in general are the benefits, and how great and widespread are the evils that must arise therefrom.

In all cutting of rates the party beginning it makes charges or insinuations against its competitors. The public is either told that the rate which is cut was too high, and then the competitor is charged with intentional extortion, or the competitor is accused of some underhanded or dishonorable conduct which renders the cut necessary in order to teach a lesson or force proper terms for future relations. Cases have been observed of a carrier cutting rates very largely, and proclaiming to the public that the reduced rates were all that could be justly demanded, when at the same time it was apparent to all persons having expert knowledge that persistence in such rates would lead directly to bankruptcy.

In such cases there are ulterior objects in view which the cutting is expected to accomplish, but meantime the public is being misled as to what are just rates, and what is perhaps even more damaging to the carriers, it is being practically told by the parties participating that the members of their class are not deserving of the confidence commonly extended to each other by business men, but may be expected to deal unfairly whenever anything can apparently be gained by doing so. If the cases are not common, they are certainly not unknown, in which the agents of one railroad company make active efforts to poison the minds of the public against the management of another; insinuating against it wrongs and illegalities which exist only in the imagination or perhaps the invention of the party making the charges, and thus embarrassing the business of the other in every way in which it can be done with impunity.

In so far as conduct of the nature indicated is designed merely to secure business that otherwise would be given to a competitor, it probably does not go beyond the practices to be met with in other employments; but in no other employment could practices of the kind, for the reasons hereinbefore stated, be so harmful to the parties by or upon whom they are practiced. In other employments competition and separate action are facts as prominent before the public eye as co-operation and apparent joint interest are in this; and the public does not charge the parties following them with joint responsibility; but when business methods are abandoned and resort is had to destructive warfare to punish a competitor, or to secure any coveted advantage, the carriers go quite beyond what is common in other employments, which indeed do not offer the opportunity for destructive acts of like nature.

In considering whether there is any reasonable or even plausible excuse for them, we may freely concede all that is said by railroad mana-

gers regarding the difficulty of supporting their mutual arrangements in the absence of any power to prescribe an effective sanction for their enforcement. Nevertheless an impartial observer is compelled to say that the methods now so frequently resorted to for the remedy of supposed grievances or for the punishment of supposed wrongs are methods which do not belong to the present age. They correspond to the methods whereby in a barbarous age a rude redress by force is sought for individual injuries. To make the adversary feel and fear the power to inflict injury is often the first and principal thought, and a rate is cut when in a ruder age it would have been a throat. The motive in each case is the same, to obtain a right or extort a privilege or punish a wrong, and the hostile act may be resorted to irrespective of any question whether there are not legal remedies which are adequate for all purposes of substantial justice.

It is a pertinent question in this connection, Who is hurt by this species of private warfare? The carrier aimed at primarily, perhaps, but the injury never stops there. The attacking party is almost inevitably injured, and the injury may even go to the extent of the destruction of the interests of holders of its stocks or securities. If it stops short of destruction, it may nevertheless impair the capacity of the road for usefulness, and in either event what is done is matter of serious public moment. But the injury goes beyond the belligerents; it is likely to affect in a direct way many others, while indirectly injuring the whole class.

What beyond this is specially important is, that such action strengthens and perpetuates a feeling of distrust and hostility, which is and for a number of years has been the chief obstacle to the profitable management of railroads. In sections of the country where the antagonism to railroads has been strongest nothing is more evident than that, for their own interest, what is needed above all things is that the management of the roads shall be such as to convince the public that in respect to railroad service it is to have fair treatment and the application of just business principles. But the public is not likely to be convinced of this so long as the carriers in their dealings with each other, as well as in their givings out to the public, are assuming the opposite to be the case. What a railroad manager says against another is taken as an admission against the whole class, and the whole class must bear the consequences. Like all admissions, too, apparently against the interest of the party making it, it is supposed to express less than the truth.

But the evils arising from the want of friendly business relations between the railroads fall largely upon the public also. This is inevitable so long as each road has an independent existence, and its traffic arrangements with other roads are matters of choice and contract. The difference between performing the legal duty grudgingly, though to the letter of the bond, or on the other hand performing it in an accommodating spirit and with the purpose to make the service as valuable as possible, may in some cases be the difference between a general annoyance and a great public convenience. A short road may sometimes make itself little better than a public nuisance by simply abstaining from all accommodation that could not by law be forced from it. It would not be likely to do this unless for some purpose of extortion from other roads, but the existence of the power to annoy and embarrass is a fact of large importance.

The public has an interest in being protected against the probable exercise of any such power. But its interest goes further than this; it

goes to the establishment of such relations among the managers of roads as will lead to the extension of their traffic arrangements with mutual responsibility just as far as may be possible, so that the public may have in the service performed all the benefits and conveniences that might be expected to follow from general federation. There is nothing in the existence of such arrangements which is at all inconsistent with earnest competition. They are of general convenience to the carriers, as well as to the public, and their voluntary extension may be looked for until in the strife between the roads the limits of competition are passed and warfare is entered upon. But in order to form them great mutual concessions are often indispensable, and such concessions are likely to be made when relations are friendly, but are not to be looked for when hostile relations have been inaugurated.

It is not uncommon that railroad managers protest with great earnestness that gross injustice is done when all managers are classed together in public censure, so that the one who most scrupulously performs his duty is made to suffer for the misconduct of others. The hardship of such a case is very obvious. Nevertheless in dealing with any subject it is necessary to look the actual condition in the face: to take facts as they are, not as they ought to be. Injustice no doubt results in many cases under existing conditions, and the question demanding practical solution is, how the evils of which the injustice is a consequence may in the future be prevented, or at least be reduced in number and in damaging effect. With this question confronting him, it seems a dictate of obvious prudence that every person occupying a responsible position in railroad service, and who desires so to perform his duty as to render his service on the one hand profitable to the owners of the road and on the other hand as useful as may be to the public, should have in mind at all times, not merely what his legal obligations are, but also in what light he and all others in the same service are regarded by the public. If they are looked upon as a class having among themselves mutual responsibilities and duties, but charged also as a class with responsibilities to the public, and if this condition of things is so far favored by circumstances that it is likely to continue, he can hardly, as a reasonable man, doubt that he will best subserve the interests he directly represents when in all his action he keeps steadily in view the importance of securing and maintaining, as far as possible, the most friendly relations between the whole class and the general public, and of preventing or removing all causes of annoyance or friction in the performance of public service by any member of the class. To this end it becomes important that while making his own service as valuable as may be, he shall also contribute, so far as proper accommodations may go, to the value of the service rendered to the public by others, even though the others may be competitors and rivals.

The purpose of the act to regulate commerce may be summed up in a single phrase: it is to bring the railroads of the country under the control of law representing an enlightened public opinion. The practical instruction upon which this opinion is to be formed will come largely from the management of the roads. If that management is conspicuously just and accommodating, the opinion based upon it will not only be properly enlightened, but it will be such as to insure to the roads a treatment from the public and from all official authority that will directly tend to the advancement of their best interests.

While the Commission is not at this time prepared to recommend general legislation towards the establishment and promotion of relations between the carriers that shall better subserve the public interest

than those which are now common, it must, nevertheless, look forward to the possibility of something of that nature becoming at some time imperative, unless a great improvement in the existing condition of things is voluntarily inaugurated.

THE LAW IN ITS EFFECT UPON CITIES.

A leading purpose of the act to regulate commerce was to restrain carriers in the service performed by them for the public from giving preferences, through favoritism or otherwise, whereby those least able to protect themselves, whether persons or localities or interests, would be placed at disadvantage unjustly. This general purpose was conceded to be wise as well as just, but some of the consequences necessarily flowing from the enforcement of provisions to that end were probably not anticipated by some parties who not only favored the law but concurred in the principle of relative equality.

Population under the influence of modern civilization tends to rapid aggregation in cities. This tendency is particularly noticeable in new countries. At first the population is mainly rural and agricultural, but as business becomes diversified and the people by manufactures come to supply their own needs, the convenience of aggregation for the purposes not only of production but for the exchange of commodities becomes manifest, and centers of trade spring up at which all kinds of business, except the purely agricultural, can be more profitably conducted by being brought together. The advantages of these centers are likely to bear some relation to size, and as in animal life the weaker are seen to become the prey of the stronger, so in the industrial and social, the weaker towns if not destroyed as centers of trade, are at least greatly weakened through the superior power which the stronger possess to command the sources of healthy and vigorous commercial action.

The tendency to the increase in urban population has been greatly accelerated by the modern improvements in means of locomotion. Railroads in a certain sense may be said to annihilate time and space. They diminish the need for local markets by rendering the better markets that may be more distant easily and cheaply accessible. Their own largest interests are in the largest towns, and in various ways they favor concentration by increasing its advantages and diminishing the considerations that operate against it. The same consequences follow to some extent from improvement in locomotive facilities by other modes. How rapid the tendency has been in our own country may be seen from a comparison of the population of cities at various periods.

When the census of 1790 was taken the population of towns having 8,000 inhabitants or more aggregated but three and three-tenths of the whole population of the country; in 1800 it had increased to three and nine-tenths; in 1810 to four and nine-tenths, at which it remained stationary for a decade; in 1830 it was six and seven-tenths; in 1840, eight and five-tenths; in 1850, twelve and five-tenths; in 1860, sixteen and one-tenth; in 1870, twenty and nine-tenths; in 1880, twenty-two and five-tenths. At the present time one-fourth of all the population of the United States is gathered in towns of 8,000 people and upwards. The increase in percentage is a very striking fact, and if it is to reach a maximum at any time, it has very certainly not reached it as yet.

What was the natural and inevitable tendency has been greatly emphasized by the fact that the carriers of the country, in making up their rate sheets to regulate the charges for the transportation of persons

and property, have given to the cities special and very important advantages over the country stations. Some of these advantages have been given to large dealers, found principally in the cities, and given because of the extent of their patronage. But the large towns, as a whole, have been specially favored in rates over the country places, for the reason that the competition was felt mainly at such towns, and under the stress of competition the carriers have felt compelled to make rates which, except upon compulsion, they would not consent to make anywhere.

Pressure of competition has been most severe upon the carriers by rail whose lines touched the great rivers or other navigable waters of the country. Cheaper carriage is possible by water than by land, and a railroad directly competing with a steam-boat line must make low rates or abandon the traffic to the boats. But the exceptionally low rates were by no means restricted to such towns as were possessed of navigable facilities; the interior cities were also favored, though the competition they enjoyed was exclusively between the carriers by rail. Nor could it always be said that low rates were forced upon the roads by the stress of competition; they were very often determined by agreement between the carriers controlling the business, and who possessed the same power to exact reasonable rates from the large towns as from the small. Always, however, in the large towns there were influences which were powerful in producing low rates, and the carriers even when they wished to so did not find it easy to resist them. But very often the interest of a carrier was so far identified with that of a town as to make the giving to it of exceptionally low rates a matter of choice.

While this state of things continued it was almost impossible that in any section of the country possessing already a number of established centers of trade, any smaller town, not yet of sufficient strength to command like favors, should escape a condition of subordination and dependence. Towns must either depend for their growth upon some very special and exceptional natural advantages, or they must have manufactures, or they must contrive to become the centers of a large jobbing trade. But for the success of his business either the merchant or the manufacturer must have the like favorable rates for the transportation of that which he buys and sells as are given to his competitor; this is indispensable. Any attempt of a small town to grow into rivalry with a large town, beginning with considerable differences in railroad rates against it, must be necessarily unsuccessful.

The specially favorable rates which in one form or another were given to large dealers were not always given as matter of personal favoritism; perhaps they were quite as often given to enable proprietors to protect their business as against the rivalry of like business located on other roads and supposed to be obtaining similar concessions. Every town thought it must have its leading enterprises protected against the inroads which competitors might make through railroad favors, and there grew up a feeling in the large towns that the trade of the territory which they had customarily supplied belonged to them of right, and that any re-adjustment of freight rates should not fail to preserve their dominion over it.

It was not at first clearly perceived by every one that the provisions of the act to regulate commerce which prescribed rules of impartial accommodation as between persons, occupations, and localities were really intended to go so far as to place in respect to such accommodations the smallest and most obscure hamlet in the country in the scale of right against the largest and most powerful city, entitling each to the same

favorable regard from the carriers which served them. The large towns not unnaturally accepted the provision against discrimination as between localities as one that protected them against their competitors; they did not readily appreciate the fact that it also protected as against them a single patron of a road at a local station, and entitled him to favorable consideration irrespective of any question of competition; that the purpose was that there should be no unreasonable discrimination as between country and city, any more than between large towns.

Indeed, under all the circumstances, the prohibition, so far as it applied to localities, was likely to be specially beneficial to country places; and the prohibition of the greater charge upon the shorter haul on the same line in the same direction, except when the circumstances and conditions were dissimilar, was also calculated to be chiefly beneficial to the smaller towns, since the large towns almost always received such benefit as resulted from the making of the lesser charge. How great the differences were, and how depressing they must necessarily have been upon small towns, some idea may be had from an examination of tariff sheets which showed that a carrier sometimes charged for the transportation of property from one terminus of its line to stations short of the other fully three times as much as it charged by the same tariff sheets for the carriage of like property from the same starting point past the same stations to the other terminus.

It may be assumed that the railroad managers who made these rate-sheets did not in general do so under the influence of any desire to favor the considerable town at the expense of all others, provided they could, with proper regard to the interests of their roads, establish relatively equal rates as between all stations. When they made rates which thus violated the principles of relative justice, their action was always defended as being a necessary result of the logic of the situation which they would have been glad to escape from had any means of escape been open to them. But whether willingly done, or, on the other hand, done under stress of compulsion by those who would have preferred to do otherwise, the consequences were unmistakable. The small towns bore the heaviest proportionate burdens, and unless on general grounds it was desirable that the cities be specially fostered and favored, the effect must from a social point of view be undesirable for the country. It was impossible that it should be made to seem right to the common mind that such distinctions should exist; the sense of justice received a shock when one was told that the small dealer in the country town was made to pay three times as much for the carriage of his goods as the city merchant paid upon the like quantity, for even a greater distance; and a well-founded feeling of discontent arises among any people when it can see things done under the protection of its laws which seem to be plainly and unmistakably unjust.

It will probably not be claimed by any one that it is desirable to give by law or through the use of public conveniences an artificial stimulus to the building up of cities at the expense of the country. In great cities great social and political evils always concentrate, grow and strengthen, and the larger the cities are the more difficult it is to bring these evils under legal or moral restraints. This fact is so generally recognized that the feeling may be said to be practically universal that the interest of any country is best consulted when public measures and the employment of public conveniences favor the diffusion of population and the profitable employment of industrial energy everywhere, rather than the concentration of population in few localities.

When in consequence of the carriers establishing such rates as the

principles of the act to regulate commerce requires, some of the towns of the country found that, to some extent, business they had formerly enjoyed was slipping away from them, their commercial or other business organizations called upon the Commission for protection under circumstances that made their cases present grounds of strong apparent equity. For it was found that while the law which requires rates to be made relatively just and fair was in its application to localities intended specially for the benefit of the small towns which were formerly discriminated against, yet when it came to be given effect it had the result that some one or more large towns in any particular section of the country would apparently receive the principal benefits while other large towns, competitors to it, would to some extent be injured. This result would follow from the fact that the making of more favorable rates to small towns would enable them to have a choice of markets not possessed before, and perhaps invite them to pass by one trading town which had formerly monopolized their trade to a more distant and larger town where the opportunity for choice in buying and to obtain customers in selling would be greater. Whenever this was the case the larger market seemed to be reaping the principal benefit of the favorable rates to the smaller towns; and the complaint was then made by the towns which suffered from the loss of business, that the rates instead of operating justly, discriminated unfairly in favor of the larger town to the prejudice of those which had the right to compete with it.

The first complaint presenting this view was made by merchants of Danville, Va., who claimed that the rates of the Richmond and Danville Railroad Company discriminated against their town and in favor of Richmond. The rates, as expressed on the rate-sheets, did not appear to be unequal or unfair; they seemed to be made with due regard to relative distances, but they allowed no controlling force to the fact that Danville was an important center of trade for a considerable surrounding country and were so made as to be as favorable to the small stations on the line of the road as they were to the cities. The consequence was that a merchant in a small town on the far side of Danville from Richmond, desiring to procure supplies which Danville merchants were accustomed to procure from Richmond and then resell along the line of the road, found himself able, instead of purchasing in Danville, to buy in Richmond, and by shipping the goods to his place of business direct and without unloading at the intermediate city to put them in stock at less cost for transportation than he could have procured them for had they been first sent to Danville and then to the final destination as a second shipment. He would also, by thus dealing, save the profits which the dealer in Danville had formerly received from his business.

It was inevitable that this advantage should, to some extent, be availed of, and the consequent loss of business to Danville was thought by the complaining party to amount to demonstration that the rates which occasioned the loss gave to Richmond an unfair advantage. The proper remedy was supposed to be for the Commission to hold that the aggregate rates from Richmond to Danville and from thence to the final destination should not exceed the rate which was made from Richmond to the same point as a through rate. No other rule, it was said, could possibly operate with justice.

A similar claim was afterwards advanced on behalf of a commercial organization in Omaha, which claimed protection against rates which operated prejudicially to the dealers in their city, and in favor of dealers in Chicago. The same idea has been at the basis of complaints made on behalf of dealers in Detroit and in other localities; but in every

case it was apparent that the rates complained of were rates intended to be made in conformity to the spirit of the act, and without any purpose of benefiting or injuring other towns than those to which they were given. And it might also be seen that these peculiar incidental benefits could not be monopolized by a few commercial centers, nor could any one of them gather benefits without reaping losses also. If the dealers in small towns beyond Omaha are now enabled to pass by that city and make purchases in Chicago, which they were accustomed to make in Omaha, so they may pass by Chicago, also, and make them, perhaps, to like advantage in Philadelphia, New York, or Boston. They can now reach out in all directions as they could not before, and even for family supplies there may be a choice of markets, which formerly was not available.

Such a state of facts as was shown in the instances mentioned does not present a case calling for the protection of commercial centers as against each other; what should be done obviously is, to leave just and equal rates to have their natural effect under the influence of legitimate competition. The law can not be blamed for incidental consequences when its rules are just and justly applied. It could not be denied that the rates given to the smaller towns in the cases mentioned were just to them, and the large towns could not, with any propriety, demand that, for their own benefit, rates unjust to the smaller towns should be imposed. All they could claim was that rates should be relatively just when all stations were considered. The carriers could not go further in aid of the competition of cities than to make them so.

In some cases in which it was complained that excessive rates were charged, the evidence offered to make out the excess consisted largely in showing that the rates formerly paid, after deducting the rebates which were allowed, were much below the rates now exacted. Evidence to this effect would come almost exclusively from large dealers, and it did not usually show that the public in general at the same locality had formerly been given more favorable rates than they now had. But the evidence was incomplete for the purpose designed because it did not take a comprehensive view of the whole field, but was confined to a single place. Proof that a railroad company is now on an average, when all its stations are considered, charging higher rates than formerly, may be taken as a strong *prima facie* showing that present rates are excessive; but their being higher at a single locality may be a result of an equalization of rates as between localities, which necessarily advances those which formerly were proportionally too low, and reduces in like degree those which formerly were proportionally too high. If the rates are now found to be made on correct principles, and are relatively fair as between localities, it can not be a just ground for complaint that some town which formerly was greatly and unjustly favored, finds its rates advanced. Not unlikely it may turn out on investigation into the circumstances of such a case that the advance was necessary to enable a carrier to make the proper concessions to other localities.

To what is above said regarding the effect upon large towns of a strict enforcement of the long and short haul clause of the act, a partial exception must be made of towns and cities upon the trans-continental lines. All the interior towns, large and small, will receive benefits therefrom; the incidental injurious effects will fall mainly upon the terminal cities.

UNIFORM CLASSIFICATION.

In the first annual report of the Commission attention was called to the fact that rates for railroad transportation are to some extent ad-

justed on principles analogous to those on which taxes are laid: the articles or the interests that can least afford to bear such burdens are given the benefit of low rates which the carriers can not afford to give to all, and higher proportional rates are levied upon the articles and interests which would feel the burdens less. This method of adjusting rates has been and is of very high value to the country; indeed, it may be said to be indispensable.

The business of a railroad company as a carrier of freight is to exchange for the people the products of different sections and countries, and this exchange, as to many commodities in a country so large as ours, or indeed in any considerable country, would be restricted to comparatively small sections if articles which are at once bulky and cheap and articles which in small compass comprise very great value were alike charged rates for transportation which disregarded the value as an element of estimation, or took it into account only so far as reasonable insurance against loss or injury might render prudent. Railroad managers very soon discovered that they could not measure their rates exclusively by the standard of cost of carriage of the several kinds of traffic, separately considered; but it was wise for themselves and best for the country that the cost of carriage be considered in the aggregate and that the rates which are to be the compensation for the service performed be then apportioned on special consideration of the value of the service to the kinds of traffic severally. Such an apportionment would seldom be burdensome to articles of high value, but it would relieve cheaper articles from burdens which, if apportioned strictly to the cost to the carriers of their transportation, would render carriage for considerable distances out of the question.

But a practice based upon any such general principle will almost inevitably in its application be subject to many exceptions. Every railroad serves a certain territory, and every part of the country has to some extent interests to be served which are special and peculiar to it, and these it will naturally desire to have specially considered by local, official, and corporate authorities, whether the business in hand be the imposition of taxes or the adjustment of rates for transportation; and as many other circumstances besides cost of transportation and value must always be taken into account, such as bulk or weight of articles, convenience of handling, special liability to injury and necessity for speedy delivery, and the field of production or of consumption, so that there can never be any fixed or definite rule for the measurement of the charge to be made upon any particular traffic, it is always possible for the railroad manager in making rates to yield something to the special interests of his section, and still keep in view the general principles upon which he will professedly act.

As rates are apportioned by means of classification of articles which are expected to be offered for carriage, a pressure from sectional and local interests has been continuously brought to bear upon the authorities making the classifications to have them so made that those interests may be favored which the roads to use the classification will more particularly serve. For the most part the classifications have been made by the carriers themselves; in a few instances they have been made by State commissions, but under influences corresponding to those which have influenced the carriers in the same work. The carriers, it may be assumed, have primarily consulted their own interests, but they have also at the same time consulted the local feeling and the local interests, and have commonly found that their own interests were best subserved in doing so.

The consequence has been that a great number of classifications have been in force in different parts of the country; some of them covering large and some small sections, some made for several but more made for single roads. In very many cases there were two or more classifications in force on a road; one for the traffic in one direction, another for that in the other, a third, perhaps, for the traffic coming from or going to a particular section of the country, and so on. The existence of so many was a great public evil, and it necessarily resulted in constant embarrassment in the interchange of traffic between the roads. The owners of the freights were more annoyed than the carriers themselves, for they were perpetually subject to the liability to be called upon to pay charges for transportation which were greatly in excess of any which they had anticipated. Unexpected charges were likely to breed controversies and cause delays in transportation and delivery, and in the minds of those unfamiliar with the subject of classification there were often suspicions, based on appearances which afforded color for them, that the carriers were guilty of intentional wrong and unjustifiable exactions.

The first important step in the direction of reform was taken by what are known as the trunk-line roads, and resulted in an agreement upon what was designated by them the Official classification, which was put in force contemporaneously with the taking effect of the act to regulate commerce. The condition of things in the territory of the trunk lines and the effect of the action taken have been thus stated in proceedings before the Commission:

At the date of the passage of the act under which this Commission was organized, one hundred and thirty-one railroad companies within the territory roughly defined by a line drawn from Chicago to Saint Louis, including both those cities, and taking in the territory east of the Mississippi and north of the Ohio and Potomac rivers, and including all the New England States, each had, or largely had, a separate classification. In addition to those classifications that grew up out of local conditions, and were thought to be accommodating to the particular roads and shippers, there were also five confederations of railroad companies having each its classification. The present classification has taken the place of the following, which were formerly in use:

First. The local classification of each railroad company.

Second. The through west-bound classification, generally known as the trunk-line west-bound classification, upon the through traffic originating at sea-board cities or points east of the western termini of the trunk lines, and destined to their western termini—Buffalo, Erie, Pittsburgh, Parkersburgh, etc.—and to a number of competitive points, trade centers, or railroad junctions beyond.

Third. The east-bound classification, which alone applied to east-bound traffic originating in the territory east of Chicago and the Mississippi River, west of the western termini of the trunk lines, and north of the Ohio River, on traffic destined to the western termini of the trunk lines and points east thereof.

Fourth. Traffic between competitive interior points in the Middle States (New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, and West Virginia), interchanged between the several trunk lines and connecting roads, was governed by the joint merchandise freight classification, which also applied to the local traffic of certain roads.

Fifth. The Middle and Western States classification applied to traffic between competitive interior points west of the western termini of the trunk lines, east of the Mississippi River and north of the Ohio River.

Sixth. Traffic between certain points in the Western States east of the Mississippi River, and certain southern competitive points was governed by the east and south-bound classification.

The present classification takes the place of all these widely different classifications as well as the many local classifications which were more or less in conflict with each other; if they had been continued it would have been impossible to carry out either the letter or spirit of the interstate-commerce law.

The conditions and requirements under which the present classification is based are therefore of an entirely different character to those upon which the trunk line west-bound classification from New York was based prior to April 1, 1887. That was con-

lined to one kind of traffic in one direction, destined to comparatively few competitive points west of the western termini of the trunk lines, while the present classification applies to all the traffic in every direction between all stations of the roads, both local and through. The companies using the present classification operate about 47,000 miles of railway, more than one-third of the entire railway mileage of the United States, and over these roads are transported 232,000,000 tons, or about 50 per cent. of the total tonnage carried over the railroads in the United States.

These railroad companies embraced within the territory referred to, desiring to accommodate the traffic passing over these lines to their understanding of the legislation, met together, the principal roads being represented at this meeting, and on February 18, 1887, a committee was appointed to recommend a uniform classification in place of the then existing ones. This committee consisted of representatives of Eastern and Western roads familiar with the requirements of each section of the country and the different interests involved. The committee finished its labors March 1, 1887, and submitted the result thereof to the Eastern and Western roads at a meeting held in New York, and with some modifications and amendments the report of the committee was adopted, and put into effect on April 1, 1887, which resulted in the making of the common joint classification which first went into effect—Official Classification No. 1.

The former condition of things is further shown in an interesting extract from a letter written to the Commission by the chairman of a railroad freight association, which is given in Appendix E, containing several papers and documents relating to the general subject of classification.

The Official classification was not at first entirely satisfactory to the parties agreeing upon it, and it has from time to time been somewhat changed, but not radically. It did not, however, entirely displace all others, but many roads which adopted it made use also of others to some extent, and still do so. A list of the roads which have adopted and are now using it is also given in Appendix E, with figures indicating that some of them use others also. The whole number of roads using it appears to be 131, of which 87 use it exclusively, 35 use one other, and 9 use two others.

This action of the trunk line roads is very far from being all that has been recently taken in the direction of uniformity in classification. There has been steady and constant movement in that direction, the most important of which has been the enlargement of the territory of the Western classification. The roads making use of that classification had been steadily increasing, and on June 11, 1888, were sixty-nine in number. Since that date the roads forming the Texas Association have adopted the same classification; the transcontinental lines also employ it. The result is, that practically all the railways operating west of a line drawn from New Orleans through Chicago, following Lake Michigan and the connecting waters to Marquette, are using one uniform classification except that locally in some of the States railway commissions have adopted a classification of their own making.

The principal classifications now in force are the Official, the Western, and the Southern Railway and Steam-ship Association classifications. The territory embraced by them severally may be roughly indicated as follows: The first, the territory east of Chicago and north of the Ohio River; the second, the territory west, north, and southwest from Chicago; and the third, the territory south of the Ohio and east of the Mississippi. It must be understood, however, that neither of them is exclusively made use of in the territory indicated. Commodity rates are given to a considerable extent in Pacific coast territory, especially upon through transcontinental business, and individual roads in all sections use classifications of their own when circumstances seem to require it.

Efforts in the direction of uniformity have continuously been made

during the last year. The most important of these was through a conference of representatives of roads east and west of Chicago, whose sessions began in September, 1887, and extended to July 20, 1888. This conference it was hoped might result in merging the Official and Western classifications. That result was not accomplished, for reasons stated in a report adopted by the conference, and which is given in Appendix E. But unification on a larger scale is still kept in view, and a meeting has now been called by representatives of the existing classifications, to be held at Chicago in the present month, under which it may be assumed the subject will be taken up under auspices more favorable than ever before. The call, with other valuable information on the subject, is appended.

It has seemed to many persons that to unify classifications must be a very simple task. What is classification, it may be asked, but the arrangement of the several articles of commerce under different heads, as pupils in a school may be arranged in classes for recitations, or as a farmer may send his stock for pasturage to different fields? But those most familiar with the subject of classification will be least inclined to look upon the making of a uniform classification as a very simple affair. It is very far from being a simple affair. It is, on the contrary, as difficult a task as under the ordinary operations of government is likely to be devolved on any person or any body of men. In its nature it corresponds closely to the making of the customs tariff for the country, but the necessity for going into particulars may be greater, for classification must reach every article of ordinary commerce, and it must be framed on the understanding that for every one some burden is to be provided, though among them all there may be apportionment of burdens on some principle adjusted to the general good. And when it is understood that the classifications now in force have come into existence, to a very large extent, as an outgrowth of local and sectional feelings and interests, it will readily be perceived that the difficulty in prescribing uniformity is very much greater than it would be if the work could be taken up now unembarrassed by what has heretofore been done, and by the adjustment of business interests to classifications now in force. In fact, the difficulties are now so great that many intelligent persons in railroad service do not believe satisfactory unification is now possible. This is not, however, a universal belief; many practical railroad men hold a different view, and are now working to that end.

The Commission believes that all action taken on the subject should lead towards uniformity, but that to force it at once would be undesirable. In all consideration of the subject it must be borne in mind that the carriers are not the parties whom unification would most affect. Some carriers might gain and some perhaps at first lose thereby, but the most of them would be able so to adjust their rates that the losses would be inconsiderable, and would also be temporary. But the business interests of the country would have no similar power of self-protection. Unifying the classification means necessarily the placing of the same article in the same class for the purposes of rating in all sections of the country, with the effect as to some of them of lowering the rates greatly in some sections while advancing them in perhaps the like proportion in others, so that in the same business, while one dealer might be greatly benefited, another might be ruined. And what would affect injuriously a single dealer would in like manner affect all in the same line of business in the same section of country and to some degree the country at large as well.

The carriers could not possibly protect against such a consequence; for while the rates would not necessarily be the same in different sections, the rates which any road imposed on one class would be identical, so that the power to adjust transportation charges with a view to local or sectional interests which now exists and is supposed to be of value would be taken away. And the relative change which would be effected in making uniform classification operative as to any particular business would be far more injurious, because of its affecting individuals and sections differently, than would any absolute increase in rates which affected alike and to the same extent all the traffic subjected to it.

The very first step to be taken by any one who should attempt uniform classification would be to make a study of the reasons from which the existing classifications have sprung. This study would need to be made in the territory which the classification covers. All existing classifications have resulted from many compromises. Pacific coast and Texas interests have compromised with those of the interior in the recent extension of the Western classification, and they would probably be forced to compromise further if the Official and the Western classifications were merged. But no one intrusted with the task of merging them would be excusable for making the attempt without better information to act upon than could be obtainable from a few witnesses summoned to Washington to give it.

Even in the territory whose interests may be supposed to be homogenous, the Commission has encountered serious and earnest antagonism when classification was in question. One of the chief impediments to the merging of the Official and the Western classifications has had regard to car-load classes. The carriers east of Chicago and their patrons desire that there shall be very few; the carriers west of Chicago and their patrons very generally think it for their interest that there shall be a considerably greater number. The feeling on the subject was very well illustrated at a session held by the Commission in one of the Western States last year. Eastern merchants were moving to have car-load classification materially restricted. Several State commissions by concerted arrangement came to the meeting to express their strong and very earnest opposition. It was their belief that the measure proposed, if it should be adopted, would be greatly injurious to the interests of the States they represented.

Without any previous knowledge on the subject an opposition of the sort could hardly have been anticipated, but such facts can not fail to impress the mind that to the proper performance of the task of unification it is indispensable that a somewhat extensive knowledge be first acquired not only of local interests, but also of the relation of those interests to interests of similar nature elsewhere. Nobody can acquire this knowledge from the public press, or from the reports of a few persons, however intelligent, who may be summoned to give information. He will need to feel the pulse, so to speak, of the several sections of the country; to make himself acquainted with their various interests, so that he may be able to judge how far any changes will affect them severally. In studying the effect he will be very sure to find that even locally the interests of the farmer, the manufacturer, the jobber and the retail dealer are not identical, and that what would benefit one might harm the other.

The final adjustment of a uniform classification must necessarily be the arrangement of a great number of compromises. It may happen, therefore, that those who are now most earnest in desiring one will be

most opposed to any that can be agreed upon. The Commission has received letters on the subject from intelligent business men, but who having never investigated it, are evidently in error as to what can be expected as a result of what they ask for. Some of the writers appear to think that unification will be little more than extending the classification of their section, with which they are familiar, to the whole country, and will be surprised to learn that it can not be made without adopting features from other classifications which their sections have always objected to. But others desire uniform classification because they expect by means of it to get rid of the principle of considering the value of the service in making rates, and to have the cost of the service to the carrier made the measure of charge, or to have some other practice done away with that does not in its application work to their advantage. A manufacturer of doors and blinds, perhaps, looks to have his product classified with undressed lumber, and the manufacturer of patent medicines, who knows that his boxes can be carried as cheaply as the boxes containing merchandise selling for one-tenth or one-twentieth the sum, expects them to be so classified that they will be rated accordingly. But to any one familiar with the subject the impossibility of meeting such views will be obvious; it would not be for the general public interest that they should be met. This statement sufficiently suggests not the probability merely but the certainty that uniform classification will result in many disappointments.

The reasons above given are reasons for approaching uniform classification with some caution. There are other reasons for urging the carriers in the direction of unification, and not taking it out of their hands so long as they seem to be moving in that direction in good faith and with reasonable diligence. They have knowledge of the local interests which are represented in existing classifications, and their practical experience gives them special fitness for the task. Moreover, this course will have the further advantage that if complaints are made of the classifications the Commission will come to their consideration with minds unembarrassed and uncommitted by previous action of their own.

But it should be further understood that a uniform classification once made can not immediately be put into effect. Considerable time to prepare for it is absolutely essential.

First, it should be stated that the putting it into effect involves the sweeping out of existence of every rate sheet in the country and the making of new rate sheets by every railroad company. This requires an enormous expenditure in printing, which of course must in some manner be made up from the rates imposed. But the cost of preparing the rate sheets would be vastly greater than this. To determine what the rates ought to be on the several classes would be a labor of infinite difficulty.

Suppose a railroad manager, with the new classification put into his hands, were to address himself to the task of determining what rates he ought now to charge in order that his company may collect the same revenue it has been accustomed to receive. First, he will perceive that the class rates should not be the same as formerly; the number of classes is probably different, but whether different or not, the position of articles in the classes is so different that the imposition of the same rates as formerly may either increase the revenue very greatly or may largely diminish it. In order to determine how this is likely to be it would be necessary to make careful study of the classification in the light of the past and probable future traffic of the road; not the traffic

in bulk, but the traffic in each particular article, bringing together for further study the aggregate of articles now ranged in one class, and so going through with the classes successively. And when it is remembered that at the conclusion of his task very many of the patrons of the road will find their rates increased—on some perhaps largely increased—and that very many complaints are to be expected under any circumstances, the importance of avoiding the giving of just grounds for complaint will be so obvious and so great as to demand special care in that direction. All these are reasons rendering it almost imperative that considerable time be allowed for the making of this adjustment of rates after the classification shall have been completed.

But, second, the allowance of time for the adjustment is even less important to the rate maker than to the patrons of the road. If the rate maker errs in making the rates under such circumstances, the error is likely to be one which favors his road at the expense of its patrons; and when that is the case, though it may be corrected after some delay, business interests, which under any circumstances would suffer somewhat in the change, must then, for a time, be exposed to injury that with greater care and more deliberation might have been avoided. But any sudden change in railroad rates means a like change in values. A prospective change, publicly notified, the business man may prepare for with perhaps little or no injury to his business, but those whom a sudden change affects have no means of warding off injurious consequences.

The Commission sums up its conclusions on this subject by saying :

- (1) Uniformity in classification, as fast and as far as it can be accomplished without serious mischiefs, is desirable.
- (2) There is gratifying progress in the direction of unification, and it has been very marked within the last year
- (3) So long as the carriers appear to be laboring towards unification with reasonable diligence and in good faith, it is better that they should be encouraged and stimulated to continue their efforts than that the work should be taken out of their hands.
- (4) In view of the mischiefs that would flow from sudden changes, ample time should be given for the purpose. Uniform classification can only be wisely and safely made by careful study and deliberate action, and the adjustment of rates to it needs corresponding caution and deliberation.

IMMIGRANT TRANSPORTATION.

The transportation of immigrants from the Atlantic sea-board cities, where they land on our shores, to various interior and Pacific slope points, is a branch of the jurisdiction of Congress over interstate commerce covered by the act creating this Commission, which seems to be worthy of attention.

The number of immigrants that annually arrive and are transported over our various railroad lines is so large, the competition of the different lines for the business of carrying them is so eager, the impositions upon the immigrants by various persons seeking to make a profit out of them are so numerous, and the demoralization in the railroad rates by payment of commissions, rate-cutting, and otherwise is so constant, that some better regulations for receiving immigrants upon landing from vessels, and in procuring transportation to their destinations, would seem to be reasonable and fairly warranted.

It is not understood whether the same conditions exist at all the sea-board cities where immigrants arrive. The conditions that call for im-

provement are most apparent at the port of New York, where much the greater number of immigrants arrive. The Commission has on two occasions within the past year made investigations into the methods of conducting the immigrant business at that port.

The magnitude of the business is shown by the statistics for the year ending June 30, 1888. The whole number of arrivals at the four principal sea-board cities during that time was 533,918, of which the arrivals at Boston were 44,873, at New York 418,423, at Philadelphia 37,325, and at Baltimore 33,297. Of this number the proportion of children under fifteen years of age was at Boston and New York each about one-sixth, at Philadelphia about one-fourth, and at Baltimore a little over one-tenth. The whole number carried westward over the roads known as the trunk-lines during that period was 180,642, of which the number carried from Boston was 8,542, from New York 130,547, from Philadelphia 20,648, and from Baltimore 20,904. The destinations of those so carried were to all parts of the United States and some to Canada. The largest number carried west from New York was to the State of Illinois, being 26,988, to Pennsylvania 23,384, to New York State 12,027, to Michigan 10,739, to Minnesota 10,334, to Wisconsin 6,840, and smaller numbers to other States and Territories.

The only legislation applicable to the care and transportation of immigrants after landing at New York City is that enacted on various occasions by the State of New York. This legislation, through a series of years, has in the main apparently been directed by humane and just motives, and is perhaps as well adapted for the purposes desired as is possible within the sphere of State jurisdiction. An act of Congress passed in 1882 provided for the levy, in the nature of a tax, of the sum of 50 cents upon each and every person not a citizen of the United States who shall come by vessel from a foreign port to any port of the United States, the money collected to be paid into the Treasury of the United States as an immigrant fund, and to be used, under the direction of the Secretary of the Treasury, to defray the expense of regulating immigration, and for the care and relief of immigrants. Only so much could be expended at any port as the sum collected at the same port.

The Secretary of the Treasury was authorized to enter into contracts with State boards to carry into effect the purposes of the act.

Under the act the Secretary of the Treasury entered into a contract with the commissioners of emigration of the State of New York, by the terms of which the commissioners undertook to receive all immigrants arriving at that port, at Castle Garden, or some other suitable place under their control, and to provide means for their accommodation, including interpreters, and to provide suitably for the infirm and disabled for not exceeding a year.

Under these statutes and contracts the emigration commissioners for the State of New York receive the immigrants at Castle Garden, where a certain inspection and registration takes place. By arrangements with the commissioners the various railroad lines entering New York City are represented in the Garden, either by a joint agent or by their respective agents, and the immigrants after obtaining their tickets are conveyed with their baggage mostly by barges to the points where they enter cars for transportation.

The investigation by the Commission covered the conditions of transportation, the rates of fare, the character of the cars as to accommodations and comforts, and the time consumed in the journeys made. The result of these inquiries was that generally fair care and attention are given to the immigrants by the various lines, but that by all of them

the immigrants are carried as a distinct class, in cars inferior to ordinary passenger cars, and by a few of the lines in very much inferior cars; that slower time is made on the journey, and often tedious delays occur. The rates of fare charged are lower than ordinary passenger fare.

The salient facts as regards the immigrant business of the country as conducted at the city of New York may be stated as follows:

Officially it is under the supervision and control of a State board of immigration, made up of appointees of the governor and of the heads of certain charitable organizations whose functions in part are to protect the immigrants and to afford impartial privileges to the transportation lines reaching New York in respect to their carriage to their respective points of destination. Some few years ago a legislative act of the State provided for a single commissioner, but the change intended has not yet been effected. The power of the State commissioners to give full effect to the supervision necessary to the business is limited by circumstances which it is difficult if not impossible for such a commission fully to cope with.

In the first place, Castle Garden, where the immigrants are landed, is altogether inadequate in capacity for the reception, proper care, and protection of the great number who are now received there. Moreover, the location is unsuitable for the purpose. It can be easily surrounded, and in fact is generally surrounded, by a multitude of more or less unscrupulous persons, eager to reach and share the small stores of money the immigrants bring with them, and who resort to various devices to get practical control of them for the purpose. The ignorance of the immigrants in general of our language, of the country, of its customs, and its routes of travel makes them easy victims; such of them as can be enticed away from Castle Garden are subjected to impositions and extortions before they leave the city, and their transportation is sold to carriers, who buy it under the name of paying commissions.

With the co-operation and unanimous concurrence of the transportation companies these abuses might be in the main, and perhaps wholly, prevented; by their rivalries and mutual hostilities they are aggravated.

The customary charge for the transportation of immigrants to the interior is indicated by the charge from New York to Chicago, which, when the carriers have acted in harmony, has been about \$13. This charge, as compared to that made to first-class passengers, must, in view of the greatly inferior accommodations heretofore furnished for immigrants, be deemed excessive. But independent of such a comparison, the action of the carriers will fairly sanction a reduction, if steady rates can be established and improper expenses connected with the business cut off. Receipts have not only been largely reduced by the payment of commissions which go to support demoralizing practices, but the carriers have at times reduced their rates to such figures as clearly indicate that they were named for some other purpose than that of revenue from this business. At this time, when the nominal rates are very low and the commissions paid are understood to be large, the trunk line carriers, though they are transporting many immigrants, are probably receiving no net revenue whatever therefrom. It is freely admitted in railroad circles that the condition of things as regards this business is a great public scandal.

In view of all the circumstances the Commission recommends:

That some place of greater capacity than Castle Garden be provided for the reception of immigrants, located somewhere upon New York Harbor, an island being preferable to the mainland for the purpose,

but it being indispensable, whatever the place selected, that it be appropriated exclusively to this purpose, and that persons not legitimately connected with the transportation of immigrants be kept away.

That all regular lines of interior transportation be allowed to have agents at the place so provided, who may sell tickets under regulations prescribed to secure equal privileges to all, and prevent abuses.

That the payment of commissions for the routing of immigrants, and for procuring the shipment of immigrants from foreign countries, be declared illegal and made punishable.

That the Commission be authorized to prescribe fares for the transportation of this class of passengers, which may be revised from time to time, and which as fixed at any time shall be the regular fares not to be departed from by the carriers. Steady rates producing reasonable revenue, and the cutting off of the existing drains therefrom into the pockets of parties whose participation in the business is harmful and demoralizing are believed to be indispensable to the due protection of this class of people, and the duty of the General Government to them will not be fully performed until these things are provided for.

These objects can not be fully accomplished except by the Federal Government taking complete control of the whole subject.

PAYMENT OF COMMISSIONS.

One of the open questions which operates as a disturbing element in the present aspect of railroad affairs is that which relates to the payment of commissions by common carriers.

Commissions are paid by many roads upon income received from both freight and passenger traffic. Upon some roads commissions are only paid upon passenger traffic. Some roads pay no commissions.

The purpose for which commissions are paid is unquestionably the expectation of thereby securing an increase of business to a line. The persons to whom commissions are paid in passenger service are usually men in the employ of other railroad companies. It is generally accepted among railroad managers that the sale of railroad tickets should not be in the hands of outside parties. In cities and important towns ticket offices are frequently found upon important and convenient streets and in hotel lobbies, which are maintained either by individual roads or by agreement among several roads. It is understood that the employés in this class of offices are usually compensated by regular salaries.

In some places tickets are to be found on sale in the hands of men whose whole time is not devoted to this business, and who may be compensated by an agreed commission paid upon the amount of business transacted through the agency, which is often situated at a great distance from the road making the payment, and in a town or city from which through business is routed over another road by the line which controls the railroad ticket office. This arrangement, however, is comparatively rare, for the reason that railway tickets are almost universally interchanged at the present time. When it exists it presents merely a form of determining the amount of wages to be paid to a distant agent, which might easily be adjusted upon some other basis.

Commissions are not supposed to be paid to that class of the community known as ticket brokers or "scalpers." These parties are not recognized by the carriers as engaged in legitimate business, and are not furnished with tickets from official sources. They deal in unused coupons of through tickets originally sold running over several lines,

in the unused portion of excursion tickets, in tickets bought at low rates during rate wars, and in tickets found in the hands of the public under various forms, unused. So many complaints have been made respecting the unfair devices of this class of the community in the way of diverting tickets from the use for which they were designed, and sometimes even of altering and defacing them, that their business is discountenanced by railroad managers. Generally speaking, therefore, it may be said that the persons to whom commissions are paid are almost always employes and agents of other companies.

Upon freight traffic it has been alleged that commissions are some times allowed to shippers, or to their clerks or friends, as a method of securing business. Such an allowance would be in direct violation of the provisions of the act to regulate commerce, because it would effect an unjust discrimination between shippers. No actual case of this kind has as yet been brought to the attention of the Commission, but it is obvious that a system which allows accounts of this class to be audited and paid necessarily opens the door for serious abuses.

The method upon which commissions are adjusted upon passenger traffic is not altogether uniform, but is supposed to be substantially this: Ticket agents at points remote from the line which desires to pay the commissions are furnished with blanks reading as follows:

DEAR SIR: I herewith hand you my account of tickets sold over your road at this office on which you pay a commission, for the month of —.

The blank is to be filled out by the agent, with a statement of the various tickets upon which commissions are claimed, showing whose issue, the destination, the distance traveled on the road in question, the number, the rate, the amount of commission, etc., and a receipt signed by the agent is appended. This constitutes his voucher, and upon its being allowed by the auditor the agent will receive a check or draft for the amount.

Of course commissions are not paid by any road upon all its passenger traffic, but the custom until recently was generally prevalent of allowing them to ticket agents at distant points upon coupon tickets sold by them calling for transportation over any important competitive portion of most leading roads. For example, tickets sold in the Eastern States for transportation from Chicago to Saint Paul and beyond would entitle the local agent who sold the through ticket to a certain amount of compensation or commission therefor. Frequently he would be entitled to several commissions upon the same ticket, where the passenger was routed over several lines consecutively.

No established rate of commission upon the sale of passenger tickets has ever been fixed, some roads having one rate and some another, or the same road having different rates at different points and at different times. The payment is not usually computed in the form of a percentage, but as an agreed sum. For example, the first-class passenger fare from Chicago to Saint Paul is \$11.50; the commission upon an eastern ticket with a coupon, Chicago to Saint Paul, might be \$1, \$1.50, \$2, \$3, or \$4, as the general ticket agent of the road in question should see fit to offer or allow, although associations of roads at times undertake to fix the amount by agreement. It is understood that the last-named sum has at times been paid upon such tickets, and that upon transcontinental tickets commissions have even been allowed to the amount of \$10 to \$14, or more. Moneys received from this source have formed a very substantial part of the income of ticket agents in all the Eastern States upon business at the West, and also of those in the West upon business at the East.

The drain from this cause upon the net earnings of the roads has been very large. It is difficult to obtain authentic statistics upon this subject, for the reason that the whole system has grown up in secrecy, and its very existence has hardly been known to the public at large. There can be no doubt but that moneys paid in the manner above described as commissions, are paid simply for the purpose of obtaining business, and should be shown in railroad accounts as charges against railroad earnings, in the same manner as it has been customary for such accounts to show money expended for advertising, for maintaining joint agencies, and for wages paid ticket agents upon their own lines.

A custom, however, has grown up under which it has been usual to conceal this class of expenditure from the knowledge of the public and of railroad stock-holders as well. This has been done by the simple process of deducting all moneys paid out by way of commissions before stating gross earnings in the annual balance sheet. In other words the money so expended is treated as though the company never had it, and by this manipulation of the account the fact of its expenditure is not disclosed.

In preparing blanks for the annual reports to be made by the carriers to this Commission, as required by section 20 of the act to regulate commerce, this subject was considered. An appropriate heading in the blank sent out called for a statement of the amount paid by each carrier during the year as commissions, chargeable to passenger and freight traffic respectively, and the oath by which the report was to be verified embraced a statement that "no deductions were made before stating the gross earnings or receipts herein set forth." The result of this has been that in the reports for the year ending June 30, 1888, many roads show for the first time the expenditure of commissions. The returns in this respect, however, are not complete, for the reason that, the blanks not being issued until near the close of the fiscal year, the accounts had not been kept in correspondence with the requirements, and accurate information could not be readily furnished within the time allowed. In some cases the clause above stated has been erased from the oath, and no entries made in the blank calling for a statement of commissions paid.

These matters can and will be rectified hereafter, but the returns for the present year, so far as received, do not enable the Commission to state even approximately the amount expended for this purpose. Forty-nine roads report the payment of commissions, aggregating \$1,078,128.83, and those reported by only eight companies amount to \$812,884.07. There can be no doubt but that the payments made on this account in past years by the various roads in the United States have amounted to many millions of dollars annually, and that payments of several hundred thousands of dollars by single roads have not been at all unusual.

The value of an outlay of this kind to the roads which make it is doubtful. The traffic it burdens is naturally competitive traffic; in other words, commissions are paid upon tickets between points where two or more lines compete for the business. For example, between Chicago and Saint Paul six lines are offered, their trains giving like accommodations and making substantially the same time. A traveler at an eastern point has his choice of tickets over each of these six lines. The ticket agent will receive a commission on whichever ticket he sells.

If, by agreement among the competing lines, a common standard of commission is made, the ticket agent has no interest whatever to sell the ticket over one line rather than another, and in that case the roads

evidently are in the same position as if no commissions whatever were to be paid by either. If one of the lines pays a higher commission than another, either secretly or by a known arrangement, the ticket agent naturally will prefer to sell a ticket over that line. Lines which pay the highest commissions are usually the least desirable lines for the traveling public, which use this method in order to obtain traffic which otherwise they would not naturally receive. The most roundabout line, or the one with the least natural advantages, by offering ticket agents at some remote points a higher commission than their competitors allow, may be able to secure a certain amount of traffic which otherwise would not fall to it. In this case, however, the business is obtained at the expense of the ignorant purchaser of the ticket, who is routed over a line which he would not have chosen had all the facts and circumstances been understood.

The situation, then, is this: If all lines competing for a certain traffic pay the same commissions the payment is of no use to any of them; while if they pay different commissions the one paying the highest rate may secure business which it otherwise would lose, but very likely at the expense of the comfort and convenience of the traveler. If the facilities of two lines are equal and one pays higher commissions than the other, the advance must and will be met by its competitor as soon as known, to the mutual loss of both.

Certain other considerations are usually presented as reasons for the maintenance of this system. It is said that the salaries paid ticket agents are very small, and that it is quite right that they should be permitted to increase their emoluments by payments of this kind received from distant lines. The obvious answer to this is that, if their wages are too small, they should be increased by the line in whose service they are engaged. This could be done very considerably upon many lines without any loss of revenue, provided the payment of commissions to employes of other lines was discontinued. There is no reason why any road should expect to have any part of its salary account made up by contributions from other roads, and especially to have this made up by a method which has been said to give to station agents at important points an income greater than that of their own general manager. Such payments are obviously not proper compensation for service rendered.

It is also sometimes claimed that if commissions are allowed to agents at remote points it thereby becomes their interest to post themselves upon routes and facilities, and generally to obtain such information as will be of assistance to them in their relations with the traveling public. In reply to this it may be said that their direct employment, which is at once an employment in the service of the carrier and in the interest of the public, imposes upon them this very duty, and a person who pays no heed to it except when hired specially to do so is unfit for the position of agent. Moreover, if the payment of a higher commission upon a less desirable route is made, then the ticket agent has direct inducement to lead the traveling public astray, while if all the competing roads pay the same commission, so that no inducement is offered to the ticket agent to vary from the absolute truth in his representation concerning routes and facilities, then neither of them is the gainer; it is hardly conceivable that railroad companies would find it for their interest to expend large sums for the education of station agents at remote points of the United States without the expectation of some practical equivalent in return.

It is no doubt true that certain western lines which have made the

advocacy of commission payments a prominent feature of their policy, and which have distributed large sums in this manner among ticket agents at the East, have thus established a connection between themselves and the agents receiving their bounty, which results in more or less advantage to them, and which has stimulated the agents in question to more fully post themselves in respect to all possible arguments that a runner could use in seeking to direct traffic over their routes to the exclusion of others. The indirect advantage thus obtained is perhaps the best argument that can be advanced in support of the practice. Its fallacy lies in the fact that such an advantage is not legitimate. As between the ticket agent and the public, there should be no inducement tending to put the former in the position of a drummer for business in behalf of a particular route; his true position is that of a servant of a common carrier, taking the money of the people as an equivalent for a public service; and as between the ticket agent and his immediate employer, there certainly should be no temptation tending to induce the latter to favor one remote connection rather than its equally remote competitor. The act to regulate commerce, as well as the most obvious requirements of fair dealing as between distant carriers, demand that equal facilities shall be afforded for the interchange of traffic and for the forwarding of passengers to and from their several lines. To permit an agent to entertain a preference based on his personal interest necessarily tends to the discrimination and preference between connecting lines, which the law, as well as ordinary commercial integrity, condemns.

Probably the best light in which the system could be presented would be in the form of a universal arrangement by which all agents of foreign roads selling tickets for the carriage of passengers between points of competition should receive a fixed percentage of the value of the coupon. This might be called compensation in the form of wages measured by the results accomplished. And it would to some extent encourage distant agents to prepare themselves to give information to the public. But in that form the system would not be wanted. It would put every line upon an equal footing and would do no good to any of them, while it would put the compensation received by station agents upon a most grossly unequal footing, by which some of them could soon retire in opulence. And it would practically lead to the cessation on the part of most roads of paying their station agents at all in large cities and towns, since the revenue to be derived from foreign roads would make the positions eagerly sought for without any pay from the direct employer, and perhaps even at a premium. In other words, the pay of this class of railroad employes would be largely provided by other lines than those for whom the service is rendered and which are responsible for their conduct. The demoralizing effect of such a state of affairs is obvious. A man works for the man who pays him.

On the other hand the evils of the system are much more clearly apparent than its advantages. They may be summarized as follows:

The direct effect is the payment of large sums of money from corporate earnings, for which the stockholders and the public receive no adequate return. The sums so paid are in the aggregate appalling, while the aggregate receipts are not at all increased. No travel is originated by the system, as is sometimes true in respect to excursion trains and rates. It only operates to direct, and often to divert, traffic which seeks to be transported. Considered in its totality, the money so paid out is the money of railroad stockholders, but it is collected from the public, and the collection is just so much in the aggregate more than

the public can properly be called upon to pay for railroad service. The rates which the public pay are made to provide for this drain on the corporate treasury.

In the report of the Senate Committee on Interstate Commerce, whose investigations preceded the adoption of the present law, the following charge was made and found sustained, to wit:

That the management of the railroad business is extravagant and wasteful, and that a needless tax is imposed upon the shipping and traveling public by the unnecessary expenditure of large sums in the maintenance of a costly force of agents engaged in a reckless strife for competitive business.

That investigation did not embrace the subject of the payment of commissions; it does not appear that the fact was then in any way developed, or was even known, that a needless tax was imposed upon the traveling public by the unnecessary expenditure of large sums in the subsidising, of agents of other lines at distant points in carrying on a reckless strife for competitive business; yet the application of the language used by the committee is apparent; and the fact is obvious that the management of railroad lines which permit it is extravagant and wasteful, and that the traveling public bears the burden of the extravagance.

The indirect effects are even more dangerous to the public. The blank above mentioned, upon which commissions are receipted for and collected, contains the following certificate which the agent is required to sign:

I certify that no portion of the commissions to be paid on this statement has been used in cutting rates, directly or indirectly, and I agree that no portion thereof shall be so used.

What does this certificate obviously suggest but that the natural tendency of the offer of a commission is to enable the agent to cut the rate by dividing his commission with the passenger? Supposing that there are two routes available from Chicago to Omaha, one of which pays a commission of \$2 to agents in the East, is it not money in the pocket of the agent to sell the ticket for \$1 less than the standard rate in order to obtain the other dollar for himself? Or even to sell a hundred such tickets to a scalper at \$1.75 less than the regular rate, the shave to be again divided with his customers? What then becomes of the law which forbids a common carrier to receive from any person a greater or less compensation than from another for a like service? It is not known whether this form of certificate is or is not in general use, nor how effectual it proves in practice to prevent the violation of the law which the offer of commissions so pointedly invites; but a course of business which requires a certificate that in transactions under it one of the parties shall not so conduct as to involve the other in a breach of law, is certainly in itself to be condemned.

The tendency of the system is also directly in the line of fostering other irregularities and evils.

The class of persons called "scalpers" are mentioned above as persons not recognized by the carriers as having a legitimate employment. It is matter of common observation, however, that this class is numerous. In all considerable cities they have fine offices, and all appearances indicate that their business is both considerable and profitable. Their income comes directly or indirectly from railroad companies. It comes from the purchase at one price and the sale at a higher of tickets which the companies have once sold, but which, in the hands of the purchasers, have been availed of for railroad service in part

only or perhaps not at all. So long as a railroad company recognizes such a ticket as valuable for any purpose there would seem to be reasons of sound policy requiring their redemption by the company itself at its regular offices.

A fair rule to this end would take away very much of the income on which scalping offices are now supported and tend greatly to reduce their number. It is believed, however, that railroad managers themselves are not always in hostile relations to scalpers, but that in times of rate war, and sometimes also when competition has not reached the point of open belligerency, they avail themselves of the services of this class of persons.

This subject is thought to be of sufficient importance to justify the Commission in bringing it to the attention of Congress and of the public.

CONCLUSIVE BILLS OF LADING.

Among the subjects that have been brought to the attention of the Commission as requiring legislation is that of conclusive bills of lading. Complaints are often made that when grain, seeds, or other articles commonly forwarded in bulk, are received by the carriers and forwarded as being of a certain quantity or weight, it is not infrequent that at the point of destination a deficiency is reported, and the consignor having no means of fixing the responsibility upon any particular carrier when the freight has passed, as is commonly the case, over several roads, is compelled to bear the loss.

This, it is said, is unjust. The carrier which receives the grain or other article should satisfy itself at the time as to the quantity or weight, and the bill of lading, issued for it to the consignor, instead of expressing that the quantity, is said to be or supposed to be so much, should be absolute and unconditional, and the recitals should attend the property throughout and be available on behalf of the consignee at the point of destination.

Legislation of the sort proposed, so far as it is designed for the benefit of the consignor or consignee only, would be chiefly important in the case of grain.

The objections to such legislation from the stand-point of the carriers spring mainly from two causes.

The first cause is, that grain received by one carrier will commonly, as has been above stated, pass over several lines before it reaches its destination. If it were to be delivered to the consignee by the same carrier who received it, the objections to such carrier being bound absolutely by the statement of weight or quantity given on its receipt would be much more easily met. The carrier ought, it would seem, to ascertain the exact fact at the outset, and it ought then to be responsible for the conduct of its agents until delivery was completed. But when delivery is to be made at a distant point, and the handling may for a considerable time be in the hands of agents of other carriers of whose carefulness or integrity the initial carrier will know nothing, and over whom it can have neither supervision nor control, there may well be hesitation about assuming a position which will make the initial carrier the guarantor of the integrity and the accuracy of every agent or other carrier who may be concerned in either the transportation of the grain or in its delivery.

The risks even then might not be very great on the main lines of the country, which carry grain for the most part between the great cities, where everything can be done under a supervision with which all are satisfied, but grain from the West is largely shipped into New England

and into the Southern States for delivery at small stations in car-load lots, and also sometimes in quantities less than a car-load, and any supervision of the delivery, except such as the local agent will give, is practically out of the question. And as the consignee, if the bill of lading were made conclusive, would be less likely to be vigilant in watching delivery than he feels it for his interest to be now, it is not unlikely that the cases of supposed shortage would be more numerous than ever.

In view of this fact, one question that naturally presents itself is, whether one effect of such legislation might not be to make it for the interest of carriers to restrict the bills of lading given by them to their own lines instead of joining in through-traffic arrangements. If that were done, each carrier in succession would ascertain what it received, and must at its peril deliver it to the next carrier in line, but the responsibility would not go further. No provision of the act to regulate commerce compels carriers generally to enter into joint arrangements or to become mutually responsible for each other's conduct, but the traffic arrangements now accomplish this to a very large extent, and they are of great public convenience and utility. Whatever should be calculated to diminish the number of such arrangements ought to be supported by very strong and conclusive reasons to warrant its adoption.

The second reason for objection connects itself with the expense.

When the initial point of shipment is Chicago or any other great center of grain traffic it may be assumed that the carrier will be prepared with all necessary means of determining the weight or quantity. But the means of expeditious weighing or measuring of large quantities are expensive, and few roads could afford to have them at all stations where the merchandise might be offered for reception. To require the accurate determination to be always made would be to add sensibly to the cost of the carrier's service, and this increased cost it would be claimed the owner who was to have the benefit of it ought to pay. In the case of grain received from another road, the necessity for reweighing would be the same as when received from wagons.

When the carrier is only seeking to arrive at the quantity for the purpose of computing its charges, precise accuracy is not very important, and the weight of grain in a car will be taken to be the gross weight of car and all, with the weight stenciled on the car as its weight deducted; but a little variance in the weight of the car which would be insignificant in computing charges would be so important when counted as grain to be paid for that the carrier could not afford to take the risk of it. The grain, it might be assumed, would therefore commonly be transferred from the car bringing it in, for the purpose of accurate weighing.

Even in the large cities, where the means of properly determining weight or quantity may now be supposed to be complete, legislation of the sort proposed would almost necessarily add something to the cost of the carrier's service. Large quantities of grain are now delivered upon the cars from elevators, some of which are public and under official supervision, and some not. The carriers, it is believed, have been accustomed to receive the weights given them at both the public and the private elevators as accurate; but with the increased responsibility they would be likely to decline to do this in the case of private elevators, and to require the weighing to be done under their own supervision. This would perhaps lead to the appointment by railroad associations of a force of weighers and gaugers to take charge of work of this description for all the roads.

These facts are mentioned in this place in order that they may not be overlooked in any consideration that may be given to this subject with a view to legislating upon it. The matter of additional cost is specially important because the necessity for vigilance on the part of the carrier will be made more imperative by the fact that the temptation on the part of the consignor to deceive and mislead will be greatly increased when he knows that the bill of lading he succeeds in obtaining, though perhaps by artifice and deception, will be conclusive in his favor.

It may be mentioned, also, that the burden of making provision for accurate weighing at initial stations will be likely to be more severely felt by the smaller and weaker roads than by the main lines.

When the matter of additional cost in giving better service to the public is spoken of it is not uncommon to hear the remark made that whatever cost is necessary to be incurred in order to give the best service, the railroad company ought to bear. This is undoubtedly true. But if the person making it means to be understood that the railroad company should bear any additional cost that may be necessarily incurred in order to improve its service, and should not increase the charges to its patrons, the remark could not be true unless the charges previously made were greater than they should have been. A railroad company has no fund from which to pay cost of service except such as the returns from the service bring it. The principle applicable in the case is, that the company may justly be required to give the public the best practicable service, because it is supposed to levy upon the business such charges as will meet the cost of the best service.

A further objection to making bills of lading conclusive—that it will offer a premium for frauds—is alluded to below.

But a pressure to have these bills made conclusive of the receipt of the property, and that it corresponds to all the particulars specified therein, comes also from bankers and brokers who are accustomed to make advances upon them. It is a common practice for shippers of leading products of the country, particularly cotton and tobacco, to obtain from their bankers advances on their bills of lading, and where the property is of such a character that it is readily convertible into money the convenience is very great.

The owner may expect to obtain advances to something near the value, and he is relieved from the necessity of asking accommodations from others in the way of indorsements in aid of his personal credit. But the bill of lading, under the law as it now is, does not conclusively settle, in favor of the party advancing money upon it, the fact that the carrier has received the property specified, but the carrier may prove when the property is demanded, that its agent, by collusion with the party named as consignor, gave the bill without the receipt of any property whatever, or that intentionally or by mistake he overstated the quantity or the weight, or gave false particulars calculated to make the apparent value of the property greater than it was in fact. Such proof is understood to reduce the responsibility of the carrier to what it would have been had the bill of lading been entirely truthful, but the consequence may be that the party who has advanced money in reliance upon it may lose his advances.

This it is claimed is unjust. The carrier it is said should be responsible to the full extent for the acts of its agent, and all parties whose interests may in any way be affected by a reliance upon them should be protected as completely as if no mistake and no fraud had been committed. On the other hand, it is answered on the part of the carriers that to make the bill of lading conclusive would be to offer a premium

not only for deception to be practiced on the part of dishonest parties upon agents, whereby an untruthful bill of lading may be obtained, when the agent is honest and intends to be careful, but also for collusion between dishonest parties and agents whom they may corrupt. The number of persons whom carriers must employ is so great that the possibility of finding among them one or more who may be thus corrupted is always imminent, and the carriers insist that while the rule of absolute conclusion in such cases would be seriously damaging to them, it would be bad also on grounds of public policy because of the temptation it would offer for the corruption of agents in their service.

The question involved is whether it is important and desirable to extend the principle of negotiability so as to include bills of lading among the instruments which are fully protected in the hands of an innocent holder. For reasons which are deemed important in commercial transactions, bills of exchange and promissory notes, payable to bearer or to order and properly indorsed, in the hands of any bona-fide holder for value who receives them before they are dishonored, are not affected by any equities that might have existed in behalf of the parties chargeable thereon while they remained in the hands of the parties to whom they were given. This quality of negotiability is, no doubt, an important and valuable one, at least so far as bills of exchange are concerned; but as to promissory notes doubts are sometimes expressed whether the evils do not overbalance the advantages.

It is well known that for many years parties have made a business of selling pretended or worthless patent rights or other things of shadowy value, and of obtaining therefor the notes of credulous persons, which, though invalid in the hands of the takers, become conclusive, as soon as a third party acquires them, that the makers have received full value. The frauds in these and similar cases have been very extensive. The carriers also claim that the law as it now is sufficiently protects the party advancing money on a bill of lading. He makes the advancement in reliance upon the good faith and integrity of the party presenting it, and he may resort to that party for indemnification in case anything is wrong or defective. It is further claimed that under the law as it now is no difficulty is experienced in obtaining loans on bills of lading, and therefore no reasons of public urgency demand legislation on the subject.

This subject is alluded to in this place because of its relation to what precedes, but the commission makes no recommendation regarding it.

Akin to this subject of conclusive bills of lading is that of protecting the bills given in respect to charges when the charges are specified therein.

Complaint has in several instances been made to the Commission that where carriers had received property on definite statements of what the charges would be, and had specified the charges in the bills of lading, the amount which the consignee was compelled to pay was a sum in excess of that specified. Investigation disclosed the fact that a number of reasons had in different cases been operative to cause the discrepancy. Sometimes the amount charged was greater than it was expected to be, because of some misunderstanding on the part of the agent of the carrier receiving the property as to what were the rates on a connecting road, or because some joint rate was raised without previous notice of the purpose, or was suddenly withdrawn from. But sometimes the addition made to the rate stated might be due to the correction of an error in the original weighing, measurement, or marking of the freight carried,

so that the payment finally exacted was only what was properly and legally chargeable. More often than from any other cause increase of charges specified has come from exercise of the power the carriers claim to change at pleasure the relations they enter into with other carriers for through rates.

The consequence when this is done may be that one carrier may have given bills of lading which others, when the property comes to them, will, so far as the charges mentioned are concerned, refuse to honor. The loss must then fall either upon the owner of the property or on the carrier giving the bill.

Most of the cases brought to the attention of the Commission were cases of consignments made in southwestern States to northern Atlantic seaports, and which must pass over a number of roads. It was ascertained, however, that the initial carriers recognized their obligation to protect the bills given by them, so that the unexpected increase in charge, though it might subject the consignee to the necessity of paying it in the first instance, was not a loss to him or to the consignor but to the initial carrier. Even this necessity of advancing a sum unexpectedly was complained of as a hardship, and it was thought it should be guarded against by some order of the Commission which should require delivery of the property to the consignee on payment of the charges specified; but the Commission has not thought it had the power to compel any carrier to deliver up property on the payment of less for its own service than it had a right legally to receive, nor that it could require a carrier in one part of the country to look to a carrier at a distance for its charges instead of to the lien on the property in its hands. The most that can reasonably be required in such a case is that the initial carrier shall promptly settle claims for excessive charges, and this in the cases investigated the carriers showed no disinclination to do. Some of them insert in the bills of lading issued by them the following clause:

It is understood that all connections recognize this bill of lading and will settle freight accordingly.

The traffic manager of the Louisville and Nashville Railroad Company, an important line extending from the Ohio River to the Gulf, states the policy and practice of his company as follows:

(1) In case the delivering line does not protect the rate stated in the bill of lading, this company will at once settle overcharges on presentation of the bill of lading and expense bills showing what has been paid at the point of destination.

(2) This company protects bills of lading issued by any company covering freight deliverable at any point on its road, and undertakes to do so at once and without delay.

(3) This company also protects bills of lading issued by what are known as fast freight lines when shipments are delivered at any point on its road.

(4) In cases where fast freight lines issue bills of lading for cotton or other commodities shipped from points on the line of its road, this company will protect the rates named in such bills of lading, and in case overcharges occur will refund on presentation of bills of lading and expense bills showing what has been paid at point of destination. In other words, this company, so far as it is in its power, undertakes to promptly protect rates of freight stated in bills of lading.

This is a liberal practice and no doubt a wise one. It is substantially pursued by other lines in the same territory. It goes beyond any existing requirement of positive law, and the carriers following it will very likely be subjected to occasional vexations and perhaps losses from the carelessness or improper conduct of agents of other carriers. But they will gain the favor of patrons by their course, and in many ways will be incidentally benefited.

THE GOVERNMENT-AIDED RAILROAD AND TELEGRAPH LINES.

By act of Congress approved August seventh, eighteen hundred and eighty-eight, entitled "An act supplementary to the act of July first, eighteen hundred and sixty-two, entitled 'An act to aid in the construction of a railroad and telegraph lines from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' and also of the act of July second, eighteen hundred and sixty-four, and other acts amendatory of said first-named act," certain powers and duties in relation to those lines were devolved upon this Commission. A copy of the act appears in Appendix F, relating to the Government-aided railroad and telegraph lines.

The first section of the act provides that all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which by law are required to construct, maintain or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employes, maintain and operate for railroad, governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants of Government aid.

The second section provides that whenever any telegraph company, which shall have accepted the provisions of title 65 of the Revised Statutes shall extend its line to any station or office of a telegraph line belonging to any one of the railroad or telegraph companies referred to in the first section, the telegraph company so extending its line shall have the right to connect with the telegraph line of the railroad or telegraph company referred to in the first section to which it is extended, at the place where their lines may meet, for the prompt and convenient interchange of telegraph business between such companies; and the railroad and telegraph companies referred to in the first section are required to allow such connection to be made and to so operate their respective telegraph lines as to afford equal facilities to all without discrimination, and to receive, deliver, and exchange business with connecting telegraph lines on equal terms, affording equal facilities without discrimination for or against any one of such connecting lines; and such exchange of business to be on terms just and equitable.

The third section provides that if any railroad or telegraph company referred to in the first section, or company operating such railroad or telegraph line, shall refuse or fail, in whole or in part, to maintain and operate a telegraph line as required by law, for the use of the Government or the public, for commercial and other purposes, without discrimination, or shall refuse or fail to make or continue such arrangements for the interchange of business with any connecting telegraph company, then complaint may be made to the Interstate Commerce Commission, whose duty it shall be, under such rules and regulations as the Commission may prescribe, to ascertain the facts, and determine and order what arrangement is proper to be made in the particular case, the railroad or telegraph company concerned to abide by and perform such order; and the order may be enforced by mandamus in the courts of the United States. The Commission is also authorized to institute any inquiry upon its own motion in the same manner and to the same effect as if complaint had been made,

By the fourth section the Attorney-General of the United States, in order to secure and preserve to the United States the full value and benefit of its liens upon all the telegraph lines required to be constructed by and lawfully belonging to the railroad and telegraph companies referred to in the first section, and to have the same possessed, used, and operated in conformity with the provisions of this act and of previous acts, is required, by proper proceedings, to prevent any unlawful interference with the rights and equities of the United States under any law of Congress relating to such railroad and telegraph lines, and to have legally ascertained and finally adjudicated all alleged rights of all persons and corporations claiming in any manner any control or interest of any kind in any telegraph lines or property, or exclusive rights of way upon the lands of said railroad companies, or any of them, and to have all contracts and provisions of contracts set aside and annulled which have been unlawfully and beyond their powers entered into by said railroad or telegraph companies.

By the fifth section any officer or agent of said railroad or telegraph companies, or any company operating the railroads and telegraph lines of said companies, for any failure to operate their telegraph lines, as required by law, and to afford to the Government and the public equal facilities, or to secure to connecting telegraph lines equal advantages and facilities in the interchange of business, without discrimination, or for refusal to abide by and perform and to carry out, within a reasonable time, the orders of the Interstate Commerce Commission, shall for every such refusal or failure be guilty of a misdemeanor, and, on conviction, be fined a sum not exceeding \$1,000, and may be imprisoned not less than six months, and the aggrieved party is also given a right of action for damages against the company whose officer or agent may be guilty of such failure or refusal.

The sixth section makes it the duty of every one of the railroad and telegraph companies referred to in the first section, within sixty days after the passage of the act, to file with the Interstate Commerce Commission copies of all the contracts and agreements between it and every other person or corporation in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines or property over or upon its rights of way, and also to make a report describing with sufficient certainty the telegraph lines and the property belonging to them, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of such claim, and the manner in which the same are being then used and operated. The said companies are further required annually to report to the Interstate Commerce Commission, with reasonable fullness and certainty, the nature, extent, value, and condition of the telegraph lines and property belonging to them, the gross earnings, and all expenses of maintenance, use, and operation thereof, and their relation and business with all connecting telegraph companies during the preceding year, at such time and in such manner as may be required by a system of reports to be prescribed by the Interstate Commerce Commission; and any refusal or failure by any of said railway or telegraph lines to make such reports, or any reports which may be called for by said Commission, or refusal to submit its books and records for inspection, it is provided, shall operate as a forfeiture in each case of a sum not less than \$1,000 nor more than \$5,000, to be prosecuted for by the Attorney-General of the United States.

Upon the expiration of the sixty days within which the railroad and

telegraph companies were required to file with this Commission all contracts and agreements in reference to the ownership, possession, maintenance, control, use or operation of any telegraph lines or property upon their rights of way, and a report describing their telegraph lines and property, and the manner in which they were being used and operated, the Commission notified the various railroad and telegraph companies referred to, by circular, a copy of which also appears in Appendix F, of their duties under the act, and called upon them to transmit, with as little delay as possible, the contracts and reports required to be filed with the Commission.

Since the reception of the notice, the Commission has received from some of the railroad companies copies of their contracts with telegraph companies, and has been informed by others that the contracts and reports will be transmitted as soon as the copies can be made and the reports prepared.

Until the documents required by the act shall be received it will not be possible for the Commission to make any complete or satisfactory report to Congress upon these subjects. The Commission has ascertained, as accurately as possible, the names of the various railroads aided by Government subsidies of any kind, and the names of the railroads that have been so aided to assist in building telegraph lines. A list of these several roads is given in Appendix F. References are also given in the same appendix to the legislation of Congress in respect to the duties of railroad companies receiving Government subsidies to construct, maintain, and operate in the manner required by law telegraph lines for the uses of the Government and the public.

Title 65 of the United States Revised Statutes, referred to in the act of August 7 last, gives to telegraph companies organized under State laws rights of way over any portion of the public domain of the United States and over and along any of the military or post roads of the United States, and over, under, or across any navigable streams of water of the United States, but the lines must be so constructed and maintained as not to obstruct navigation or interfere with ordinary travel on military or post roads.

The same title also gives the right to take and use from the public lands through which their lines may pass the necessary stone, timber, and other materials for its uses, and to pre-empt and use certain portions of the unoccupied public lands subject to pre-emption through which their lines extend, not exceeding 40 acres for each station, the stations not to be within 15 miles of each other.

The jurisdiction of this Commission, under the act of August 7 last, extends to the hearing of complaints for a neglect or refusal of telegraph companies subject to the acts of Congress to maintain and operate telegraph lines as provided by law for the uses of the Government and the public for commercial and other purposes, without discrimination, or like neglect or refusal to make or continue such arrangements for the interchange of business with any connecting telegraph company, and to determine and order what arrangement is proper to be made in any particular case; and the Commission may also institute any inquiry upon its own motion in the same manner as if complaint had been made. The Commission is also required to report to the Attorney-General all cases of neglect or refusal by any of the railroads or telegraph companies referred to in the act to make an annual report, or any report that may be called for by the Commission, or any refusal to submit its books and records for inspection, to be proceeded against accordingly to law.

No formal complaints have as yet been made under this statute, nor has the Commission been called upon to take any official action in respect to any of the railroads or telegraph companies specified in the act.

The Commission is not in possession of sufficient data to make any further or more extended report upon this subject. The forms to be prepared by the Commission for the annual reports of the telegraph companies are under consideration and are expected to be completed seasonably for the purpose of returns to embrace the current fiscal year.

ANNUAL REPORTS FROM CARRIERS.

The twentieth section of the act to regulate commerce provides :

SEC. 20. That the Commission is hereby authorized to require annual reports from all common carriers subject to the provisions of this act, to fix the time and prescribe the manner in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of capital stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipment; the number of employees and the salaries paid each class; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance-sheet. Such reports shall also contain such information in relation to rates or regulations (concerning fares or freights, or agreements, arrangements, or contracts with other common carriers, as the Commission may require, and the said Commission may, within its discretion, for the purpose of enabling it the better to carry out the purposes of this act, prescribe (if in the opinion of the Commission it is practicable to prescribe such uniformity and methods of keeping accounts) a period of time within which all common carriers subject to the provisions of this act shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept.

The care with which this section is framed and the prominence given to the subject of railroad statistics in the report of the Senate Select Committee on Interstate Commerce indicated very clearly to the Commission the importance of careful and thorough work in executing its provisions. Allusion was made to the subject in the first annual report of the Commission, at page 29. At that time the foundation had been laid for the system which has now been fully developed and put in operation.

In view of the infinite diversity that has heretofore prevailed in the matter of railroad statistics the task of framing a form of universal application was found exceedingly difficult. At the same time it was obvious that the formulation of a system in which it might be possible for all the carriers in the country to unite was most important. This fact involved the consideration of the requirements of many different interests. A general basis was found in the provisions of that portion of the act above quoted. The obligations imposed by State legislation upon the various State railroad commissions which have been organized from time to time in different parts of the country were also important. A Bureau of the Department of the Interior had for some years been engaged in the collection of statistical information in great detail from a large number of important roads which received aid from the United States in the form of land grants and subsidies. The carriers themselves were accustomed to collate and present annually, for the use of their directors and stockholders, information in more or less detail concerning the workings of their respective lines.

Some of the information which it has been the custom of intelligently managed corporations to tabulate and make public is of especial value to their own officials and subordinates in securing the economical working of their lines, and in adjusting transportation charges; and the importance of statistics of this character is many times increased by an opportunity for comparison between results obtained upon different lines in the same or in different sections of the country. The report of the Senate select committee above referred to also recognized the importance of reliable and accurate information for the use of investors in railroad securities; a class of the community whose almost sole dependence in the past has been the unofficial though painstaking annual compilation by private enterprise of a manual the great circulation of which demonstrates the necessity for its existence.

The first step, therefore, was to obtain by correspondence the largest possible number of blanks and forms as prepared by the various railroad commissions above referred to, and as in use by railroad accountants throughout the land. The statistics obtainable in other countries were also examined so far as possible, and the best attainable publications upon the subject were consulted.

In October, 1887, a circular was issued to all carriers, as well as to the various State commissions and other persons supposed to be interested in the general question, directing attention to the subject and announcing that it would be considered at a public session of the Commission, to be held in Washington on October 26, at which time all persons were invited to appear and be heard, or to furnish any written or printed suggestions that might occur to them. This circular elicited considerable correspondence, and a large number of State and railroad officials were in attendance at the time announced. A free interchange of views was had in respect to the general scope of the reports to be required, and, more particularly, in respect to the date which should be taken as a common period for their compilation. Upon this subject a great diversity of opinion was manifested, arising from existing methods under which it had been customary to close the books in different States and on different lines at different periods throughout the year. The conclusion reached by this Commission upon this point was announced in the following language:

It is essential that a uniform date be adopted for the annual closing of the books and striking of the balances of all the carriers throughout the country. A careful consideration of this subject has led the Commission to the belief that the date most useful in itself, and most likely to be generally accepted, is the 30th day of June. It is not possible to state all the reasons which have led to this result, but among the more important are the following: That date is the end of the fiscal year of the United States. The books of all the departments of Government and its accounting officers are settled as of June 30. These reports are required for transmission to Congress, which meets annually on December 1. If they are filed with the Commission by September 1 (or possibly 15), the remaining time will be necessary to enable useful work to be done in the way of compilation and of deductions, to be properly laid before Congress at the opening of its session, with as much of freshness in the information so obtained as seems reasonably practicable.

The same thing is true of the reports to the various State legislatures. Some change in the legislation of some of the States will probably be required to effect the adoption of a uniform date, but it is obvious that the date proposed will involve less change than any other that can be named. More of the State reports are now made as of June 30 than at any other period, although some are required to December 31 and some to September 30. By far the greater number of the State legislatures meet in January, and the considerations above stated as adding to the value of a June 30 report for the information of Congress apply as well to the State legislatures. It is, moreover, the belief of the Commission that the date stated will involve less change in corporate methods of book-keeping than any other, and that the result will be

generally satisfactory for the purposes of the corporations themselves. At present the whole matter is confused and burdensome. It seems best that this Commission should take the initiative and endeavor to bring about order and uniformity. It is not proposed to act arbitrarily or unreasonably in so doing, but to find the most feasible and convenient standing ground for all.

The preparation of a form was then entered upon, and a proposed or experimental set of blanks was printed in January, 1888, which was distributed to State boards, railroad accountants, and other persons interested. In that connection it was explained that these blanks were circulated for examination and criticism in order to obtain the fullest possible comparison of views before a form should be definitely adopted; it was also explained that no very radical departure from existing methods was proposed; that the forms required by State commissions were made the basis of the draught; that a very substantial benefit would result from the passage of the act if the plan which the Commission should finally adopt might be made the basis of a form to be brought into general use for all reports, and therefore that a prominent object had been to prepare blanks which should contain all the more important information usually to be found in railroad reports, and at the same time be susceptible of expansion in detail to meet the requirements of State statutes and of exacting accountants and boards of directors. Some further explanations were made and the subject was thrown open for suggestions from any and all persons interested.

Much correspondence was elicited in response to this invitation, and on March 28, 1888, a meeting of railway accounting officers was held in Washington to consider said proposed form of annual report. This meeting was attended by the representatives of more than 70,000 miles of railroad, and the blanks under consideration were taken up and discussed in detail. Many suggestions were made which were obvious improvements and were incorporated in the final form. Conferences were had with State and railroad officials in New York City and elsewhere, and the vast amount of matter accumulated was carefully examined and digested. The form ultimately determined upon was the result of great consideration and a sincere effort to harmonize all the requirements of the situation so far as practicable. The necessary blanks were printed and distributed to the carriers in the month of June.

It was known that considerable time would be required after the termination of the fiscal year for the closing of accounts and the compilation of statistical matter, in order to enable the carriers to satisfactorily respond to the requirements of the blanks; it was believed that a period of two months and a half would perhaps be adequate for that purpose, and September 15 was named as the date for filing the returns. Many carriers, however, found themselves compelled to ask for further time. In view of the radical changes in the system of accounting necessary on the part of many roads, and of the fact that many topics were embraced upon which current records had not been kept during the year by the carriers, of the further fact that each carrier has had its own methods of book-keeping and its own time for striking its annual balances, and in view of the magnitude of the work involved in many ways, the Commission felt disposed to treat the subject of the time of filing the first reports liberally, believing that after the procedure under the law shall get fairly under way future reports will be prepared with very much less difficulty. The time of filing the reports for this year has therefore been extended. In many cases a full compliance with all the details of the blanks has not in every instance been insisted upon, especially where the existing records of the carriers have not been so kept as to afford the necessary information.

The names of the carriers from which reports have been received for the year ending June 30, 1888, are shown in Appendix H, as well as those which have not as yet filed returns. It is proper to add that many of the companies in the latter category state that their reports are nearly complete and will be soon sent forward.

After fixing the date on which the reports should be made the next important question under the law was in relation to what carriers should be called upon to make reports. Many of the shorter roads, situated wholly within the boundaries of a single State, were inclined to entertain the view that they were not subject to this section of the interstate-commerce law. Other carriers similarly situated, including some very important lines, entered heartily into the plan of a universal system of reporting. The position taken by the Commission upon this question was announced in a circular issued June 1, as follows:

The act applies to all common carriers engaged in such transportation of passengers or property as is described in its first section. Very many railroads which are located wholly within one State are, nevertheless, very largely engaged in interstate commerce. In fact, under the present methods of conducting joint traffic, nearly every road, however short its line, unites in making through rates, under which it issues and receives tickets or bills of lading, in connection with roads in other States, upon which passengers and freight are transported across State boundaries; the revenues of every such road are derived, to a greater or less extent, from the traffic which is regulated by the provisions of the interstate-commerce law.

The information which this law authorizes the Commission to require is very general in its nature and scope. It is apparent that it was the purpose of Congress to inaugurate an annual collection of statistics, which should faithfully present the entire transactions of every railroad in the United States for the preceding year, and that the information so obtained should be authoritative and trustworthy.

Such returns, when arranged upon a uniform system and presented under official sanction, can not fail to be of great interest and value to all carriers, as well as to Congress and the public.

As to many of the matters enumerated, the value will be greatly lessened if the statistics are incomplete. If the efforts of this Commission shall be seconded by the railroad companies and by the various State railroad commissioners, it is entirely feasible to speedily bring all railroad accounts throughout the United States upon a uniform basis, and to present them annually to the country and to the world in a manner worthy of the importance of the subject.

The blank about to be issued is believed to be the closest approach to a universally satisfactory system which has yet been made in this country. It is also confidently believed that there is no information asked which the carriers can not readily furnish and will not cheerfully give, and it is hoped that every detail of inquiry has a permanent value.

The Commission, therefore, without ruling definitely upon the question of what railroad companies may or may not be required by the act to file the returns in question, will furnish blanks to every railroad company in the United States, whatever its situation or relative importance, in the belief that every carrier will cheerfully and promptly contribute its share towards the attainment of a complete and trustworthy annual exhibit of the entire railroad system of our country.

The form issued is published in Appendix G, together with the answers returned by one carrier, which may be taken as representative of all. For this purpose the return of the Northern Pacific Railroad Company has been selected. It is manifestly impossible at the present time to reproduce all of the returns on file, but by reference to the return of this company the extent and value of the information accumulated can be better understood, and the reasons operative in the preparation of the form, in some important particulars, can be more clearly explained.

The first great difficulty met in devising a universal blank was found in the fact that a large proportion of the companies upon which franchises as common carriers have been bestowed by the various States

and Territories, and by the General Government, are not now in their own corporate capacity actually conducting transportation. The tendency has been and is to consolidate and combine the control of large systems in a single management. This has been effected at times by consolidation or by purchase, but more usually by leases, or through proprietary control resulting from the acquisition of the title to stocks, bonds, and other securities. The act requires that the annual reports filed shall show in detail the amount of capital stock issued, with the dividends thereon, the number of stockholders, the funded and floating debts and the interest paid thereon, the cost and value of the carrier's property, franchise and equipment, and other matters; and it clearly contemplates obtaining a complete exhibit of the financial condition and operations of the entire railroad system of the country.

It therefore became necessary at the outset to establish a general division of carriers between those actually operating transportation lines and those not so engaged. This distinction lies at the foundation of the blanks, the operating carriers being required to make a complete report in their own behalf of their financial situation and of all the operations which they conduct, while the leased and proprietary carriers are required to make a financial report only, showing their organization and capitalization, together with the income received by way of rentals or otherwise, and the disposition made thereof. The blanks are so framed that they can be applied to either class of corporation.

It was a matter of great difficulty to obtain an accurate list of the railroad corporations of the land, divided as above required; the situation was complicated by the fact that in many cases roads have been built and immediately leased to other roads, which in turn have been leased with all their subordinate roads to a third, and at times the process has been carried even further than this; moreover, there is a class of operating companies which control and manage many very important systems, which of themselves are not owners of any road whatever, but have taken leases or otherwise acquired the possession of lines of road legally belonging still to the subsidiary corporations, frequently different forms of title appearing under the same general management; many roads also are carried on by receivers, or by trustees for bondholders into whose hands the stockholders have surrendered their present control; in other cases corporations organized originally for other purposes have been granted powers for the operation of railroads in connection with other business, so that their capitalization does not represent railroad property solely, but frequently is founded upon large ownership of coal or other mines, of canals, and even of banks; many cases are found in which large grants of the public domain have been bestowed upon carriers, which treat the proceeds of the sale of the lands as part of their general assets, and which issue securities based upon their ownership of real estate generally as well as of railroad property. In the formulation of the blanks it was necessary to keep all of these diversified and incongruous conditions in view and endeavor to provide for all the varied circumstances which might be found to exist.

The plan of report was intended to be sufficiently comprehensive and particular to satisfy fully all the requirements of the statute in respect to every common carrier to which it applies, notwithstanding the differences that exist among them. To what extent the result aimed at has been attained, the returns made will furnish the best evidence. It is presumed that some modifications may be found desirable, under the light of experience obtained from the results of this first attempt to establish a system of universal application.

The information called for has been divided into the following topics, which are presented upon different pages of the form :

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| <ol style="list-style-type: none"> 1. History. 2. Organization. 3. Officers. 4. Property operated. 5. Capital stock. 6. Funded debt. 7. Floating debt and current liabilities. 8. Permanent improvements for the year. 9. Cost of road and equipment. 10. Income account. 11. Income account (for roads under lease only). 12. Earnings from operations. 13. Bonds owned. 14. Stock owned; miscellaneous income. 15. Operating expenses. 16. Operating expenses—continued. 17. Rentals paid. | <ol style="list-style-type: none"> 18. General balance-sheet. 19. Financial operations for the year. 20. Important changes during the year. 21. Contracts, agreements, etc. 22. Security for funded debt (page 6). 23. Employés and salaries. 24. Passenger, freight, and train mileage. 25. Freight-traffic movement (company's material excluded). 26. Description of equipment. 27. Mileage of road operated. Renewals of rails and ties. 28. Consumption of fuel by locomotives. Accidents. 29. Characteristics of road. 30. Characteristics of road—continued. 31. Oath. |
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The various interrogatories under each of the above topics are intended to be self-explanatory. It is proper, however, to particularly mention some of the questions raised.

As the inquiries are directed to the entire railroad system of the land, it is obvious at the outset that many details will be found important upon some roads which do not exist upon others, so that some of the inquiries are not necessarily to be answered by all of the lines. This point is more fully elaborated in the Book of Instructions, a copy of which is also annexed.

Upon page 4 of the report a subdivision is made calling (1) for the "name of every railroad the operations of which are included in the revenue account," with a description of the same; and (2) for the "name of all coal, bridge, canal, or other properties, the profit or loss only from which is included in the general balance-sheet." It is intended under the last caption to provide for a general statement of properties owned which are not strictly railroad properties, and the operations of which therefore need not be stated in detail, but which nevertheless aid to produce the general financial result shown upon the ultimate balance of the corporation books.

On page 5, Capital Stock, inquiries appear which are intended to answer the requirements of section 20 of the act in reference to ascertaining amounts paid for capital stock, and the manner of payment for the same. This opens the subject of over-capitalization, or of the watering of stock, so called, which was discussed in the report of the Senate Select Committee on Interstate Commerce. It is believed that cases are now comparatively rare in which the capital stock of our railroad companies, as the same now exists, was actually issued for cash to bona fide investors in the same. In many cases roads have been built by the issuance of stock to the contractors or construction companies; frequently by the creation of bonds to an amount nearly or quite sufficient to cover the actual construction cost, the stock issued being in the nature of a *bonus* or profit, or being employed as compensation for services or expenses collaterally attending the construction of the road. In a vast number of instances the original mortgage bonds have been foreclosed, thus legally extinguishing the title of the original stockholders. In such cases stock has at times been issued by a new corporation organized among the bondholders, and at other times a general reorganization has been effected, under which stock of various classes

and priorities has been substituted for pre-existing securities of different grades; frequent consolidations have required the opening of new books upon which former issues of stock are merged in a new form of security; and the foregoing as well as many other methods of substitution in respect to corporate capital are constantly in progress.

The result of this is that most of the carriers now profess to be actually unable to state the amounts paid upon their capital stock or the manner of payment for the same, with any approximation to precision, claiming that these results can only be reached after a critical examination of their books, especially of the books of antecedent companies long since closed, and depending also in many cases upon the knowledge of officers in respect to transactions of the past, many of whom are long since dead. As a matter of book-keeping, capital stock in the ledger accounts usually stands at its par, and is treated as representing an equivalent amount of cash in the general balance, being placed against the ordinary items of construction or cost of road and equipment to a like amount. Under these circumstances it seems that the question of actual cost of railroad property, or of actual value represented by railroad stock, can only be satisfactorily ascertained by a rigid inquiry in each instance, where the various original books and evidence relating thereto shall be sifted. The subject is recognized as an exceedingly important one, but it is believed that it can only be handled gradually and in detail. Meanwhile the interrogatories referred to, which are prepared in accordance with the requirements of section 20 of the act, are of value as affording a basis for such future investigation as may be found desirable or necessary.

Another line of inquiry required by the act relates to "the cost and value of the carrier's property, franchises and equipment." For the reasons above stated it is found impossible to satisfactorily obtain immediate information which shall show the cost of the railroad property; the corporate books usually showing the cost to be substantially the amount of capitalization effected to reach the present condition of affairs, the cost standing against capital, and the necessities of double-entry book-keeping requiring the preservation of a constant balance. The blanks upon pages 8 and 9 contain inquiries which are intended to elicit the desired information so far as the same can be obtained from the corporate records. It is found, however, that very many roads are unable to give the information asked upon these pages.

In respect to ascertaining the "value of the carrier's property, franchises and equipment," an entirely different question arises. The present value of a railroad property is necessarily very largely matter of opinion only; it depends upon a vast number of contingencies and uncertainties, a road apparently of great value to-day may soon become worthless by the opening of a competing line having superior advantages, or by the competitive struggles of other lines which operate to reduce the income of all; the value of a railroad largely results from the personal characteristics of its officials; the policy pursued by its directors, whether conservative and economical or aggressive and daring, is a great factor in the determination of the current value of the property; a railroad property is not necessarily worth what it would cost to replace it, and, on the other hand, it may be worth very much more than that.

In seeking for lines of inquiry which should tend to answer this demand of the law certain ways were suggested for approximating a possible estimate of value. A going institution like a railroad, a manufactory, or a bank, is at times valued upon the basis of what it will

earn; in other words, the net income from the operation of the property may be considered as affording some criterion of its producing power and some basis of estimating its actual value, providing no change occurs in the situation; under this view the value is measured, in a certain sense, by the net revenue as expended in interest upon bonds and other obligations, and in dividends to stock-holders. By comparing the result thus obtained with the earning power of money generally in the community where the road is situated, a rough estimate of the value of the road may be made; but this is found so complicated with expenditures for additional construction, for permanent improvements, for development of the property in various ways, as well as for sinking-funds and other fixed payments and in competitive warfare, that the result is far from affording a satisfactory basis of estimation.

Again, it is at times claimed that a property is worth what it will sell for in the open market; or applying this idea to railroads, that they are worth what the equity of redemption will bring when added to the amount required to discharge incumbrances; thus by taking the funded and floating debt of a road, and adding thereto the market value of the shares of stock as bought and sold by the public from day to day, an estimation of the value may be made. This method is pursued in some of the States in endeavoring to ascertain the value of railroad properties for the purpose of taxation.

In view of this claim and the support which this method of ascertaining value has received in some quarters, an interrogatory was inserted on page 5 of the blanks calling for a statement of the market price of shares on June 30, 1888, and also the average market price of the stock during the fiscal year. The answers to this interrogatory, with other information found in the blanks, will enable an estimate of value to be made upon the basis last suggested; nevertheless, it must be admitted that an attempt at valuation founded upon the fluctuations of the stock markets, often affected by manipulations designed either to create fictitious values or to unduly depress actual values for purposes of present gain, is an exceedingly unsatisfactory criterion for determining this important question.

An appraisal might perhaps be resorted to; but who can appraise the value of a franchise? What railroad official would be willing to place an estimated valuation either upon his own property or the property of his neighbor, in view of the ultimate results that might follow in respect to taxation, changes in transportation charges, or fortunes to be made or lost by dealers in securities? The difficulties surrounding this question are so great that, while the Commission has endeavored to the best of its ability to comply with the provision of the law in question, it will be found impossible to establish any safe basis of determining the result desired from any data which it has as yet been able to procure.

Proceeding with the consideration of the subjects embraced in the blanks, page 6, "Funded debt," will be found to be supplemented by a statement upon page 22, entitled "Security for funded debt." This last statement is perhaps novel in railroad reports, but its importance and value are obvious. It is found that many corporations have a great number of different securities, for the payment of which they are responsible either directly or by way of guaranty or indirect assumption. Page 22 calls for the enumeration of all these varied obligations, with a statement as to each, showing what road is mortgaged, giving the termini and mileage thereof, what equipment, if any, is mortgaged, what income is mortgaged, or what securities are pledged.

Investors in this country, as well as in foreign countries, have constantly complained that they were unable to ascertain with any degree of precision what security existed for the ultimate payment of the obligations issued by our railroad companies. This information is now afforded in an official form, and under the sanction of an oath, so that it will be found possible to estimate the strength of the innumerable corporate bonds and other obligations outstanding, upon the basis of the actual security represented by each, with proper regard to relative priorities between different issues.

On page 7, "Floating debt and current liabilities," it is intended to exhibit the correct balance of floating debt, or of cash assets, as the case may be, upon an actual cash basis, including obligations for wages, traffic balances, supplies, interest and rentals, up to the date of closing the account, and excluding any offset against the same of so-called assets which may not in the ordinary operation of the property be applied to the payment of the floating debt or current liabilities. Materials and supplies on hand are not treated as cash assets for the purposes of this table, it being considered that they are intended for consumption in the ordinary operation of the property, and are not available for the payment of debts even in case the management of the road should be taken up by its creditors.

The income account, on page 10, is so prepared as to exhibit at a glance the general results of the operation of the railroad property proper, including revenue obtained from securities owned in other companies, and showing the fixed charges, including taxes and rentals, necessary to be deducted before dividends can properly be declared. This table does not vary materially from the form of statement heretofore in use as prepared by the best authorities.

It has been found, however, that a custom has been quite prevalent among carriers of making certain deductions upon their books before stating in figures what are commonly termed "Gross earnings from operation"; in other words, that certain expenditures have been treated as outside the province of their financial reports and have been excluded altogether in their preparation. This has been the case in respect to payments in fact made from the railroad treasury, and operating to diminish traffic receipts, by way of so-called commissions, overcharges, rebates, drawbacks, and otherwise. It has been the hope of the Commission in the preparation of its blanks to put an end to this practice.

In the statement of "Earnings," on page 12, the total receipts from passenger and freight revenue are called for, and a column is provided in the blank for the deduction of all expenditures by way of tickets redeemed, excess fares refunded, overcharges to shippers paid, and other repayments made of moneys which may be considered never actually to have been the property of the railroad company, although temporarily resting in its hands until returned to the lawful owners thereof. Commissions are treated as an expense of obtaining business and their statement is provided for on page 16 of the blank. And the oath required calls for a statement "that no deductions were made before stating the gross earnings or receipts herein set forth, except those shown in the foregoing accounts; and that the accounts and figures contained in the foregoing return embrace all of the financial operations of said company during the period for which said return is made."

In the statement of "Earnings from operation," page 12, no subdivision of passenger and freight revenue is required, and in this respect the blank is very much more simple than the forms heretofore in ordinary use under the requirements of State commissions and otherwise.

The reasons for this change were stated in the circular of January 31, 1888, as follows :

The present distribution is exceedingly unsatisfactory ; although the same words are quite universally used they by no means signify the same thing in different parts of the country, or even within the limits of the same State. "Through" and "local" freight are the words most usually employed ; sometimes "through," "local," and "joint" ; sometimes "local" and "competitive," the latter phraseology having grown rapidly into favor of late in many parts of the country, as particularly adapted to the distinctions observed in the tariff sheets ; these distinctions, however, are of a kind which the act to regulate commerce does not directly recognize, and the use of these terms by no means solves the question of what is "through" or "competitive" business. The answers vary as before the adoption of the newer phrase. On the whole the Commission is inclined to abandon the attempted distinction altogether for the present. No highly useful purpose is apparent for its continuance. It is likely to greatly mislead. If in any State or on any road the information given by such a division of the earnings and expenses is desired, the tables, as framed, can be easily enlarged so as to include it.

The classification of operating expenses, pages 15 and 16, presents a subject of the greatest interest to railroad accountants. The distribution into four general classes was determined upon as the most scientific and satisfactory of the various systems in use, while the subordinate heads under each class are so arranged as to require no important change from what is known as "The classification of operating expenses," which was agreed upon by a convention of State commissioners at Saratoga June 10, 1879, and which has been quite generally adopted in actual use. This Saratoga classification was also published and distributed by the Commission for the information of such accounting departments as had not already adopted the same.

The act requires a statement of "the earnings and receipts from each branch of business and from all sources." This clearly requires a separation of freight and passenger earnings, and it is believed to be important, also, to apportion expenses between the freight and passenger service. This, however, clearly can not be done with entire accuracy ; expenses of maintenance of way and structures and the general expenses of the corporation must be apportioned between the two classes of traffic upon some arbitrary rule, as it is impossible to tell how much, for example, of the wear and tear of the road-bed is attributable to passenger trains and how much to freight trains. Nevertheless, the division can be approximated with reasonable precision, and the separation has been so generally customary that the continuance of the practice involves no hardship.

The rule adopted by the Commission is the one which has been most usually applied, viz, that all expenses which are not naturally chargeable to either traffic should be apportioned on a mileage basis, making the division between freight and passenger traffic in the proportion which the freight and passenger train mileage bears to the total mileage of trains earning revenue. It is quite possible that a more strictly accurate rule may hereafter be ascertained and established ; but for the present, and for the purposes sought, it is believed to be sufficiently precise. This explanation is made in view of the fact that certain carriers, in connection with the filing of their returns, have protested that the principle of the division required is not exact. As above shown, it is understood to be in part an estimate, but an estimate which is thought to be reasonably satisfactory until some more accurate basis of division is announced.

Page 19, "Financial operations for the year," furnishes information which is not obtainable from the ordinary balance sheet ; it calls for a statement of moneys received and expended outside of the ordinary

traffic operations of the carrier; for example, by issuing new stock or bonds or other securities, and by the construction of new road, equipment, and betterments; without this information the reports would manifestly be incomplete.

Page 25, "Freight traffic movement," is intended to afford definite information in respect to the movement of the principal commodities upon each line, and in the country as a whole. The distribution of the first two columns between freight originating on this road and freight received from connecting roads and other carriers was not expected to be available to any great extent in the returns for the past year. The information obtained by a separate presentation of traffic which originates on each road is of obvious value, both in the aggregate, showing the total amount of each commodity moved in the internal commerce of the country, and in detail, showing the traffic resources of each line, and their relative importance.

No more extended presentation of the considerations which influenced the preparation of the blanks issued appears to be required, beyond the general statement that the plan pursued has in view the accumulation of statistics upon the topics prescribed by the statute, including such matters of detail as are believed to be of serious importance and value, and excluding a vast number of items which have been called for at times, but which are more peculiarly of local than of general interest.

It will be observed that the blanks are not adapted to returns from carriers by water, although by the first section of the act such carriers under certain circumstances are subject to its provisions. The requirement of annual returns from this class of carriers is clear and has not been overlooked by the Commission; but the subject has not been entered upon for lack of sufficient time to properly consider the various questions presented and to prepare proper blanks for the purpose; it opens many questions which are found to be entirely novel and which demand careful attention in their treatment.

The work of compilation of the returns on file and being received, and of deducing such results therefrom as may be of value, has been placed in the hands of the statistician of the Commission, whose preliminary report upon the subject will be found in Appendix H. The organization of his office now embraces a statistician, an assistant, a stenographer, eleven clerks, and a messenger.

AMENDMENTS TO THE ACT.

The Commission in its preceding report expressed the opinion that the law for the regulation of interstate commerce should be permitted to have a growth, and that it would most surely as well as most safely attain a high degree of efficiency and usefulness in that way. A few amendments to the act were nevertheless recommended. It ought, it was believed, to indicate in plain terms whether the express business and all other transportation by the carriers specified in the act should be governed by its provisions. The provision against the sudden raising of rates without notice ought to be clearly made applicable to joint rates as well as to others, and the Commission ought to have authority to bring about something like uniformity in the method of constructing and publishing rates; an amendment upon this subject is now pending before Congress. All these recommendations are respectfully renewed.

Certain other amendments to the law are also urged upon the attention of Congress. The power suddenly to reduce rates without notice

of intention to do so is very often exercised in such a manner as to cause annoyance and loss to individuals and to other carriers, and sometimes so that the effect is equivalent to the giving of a rebate. The Commission believes that notice of intention to reduce any rate which any carrier subject to the act makes or joins in ought to be published not less than three days before the reduction should be given effect, as provided in the amendments now pending.

There are provisions in the act as it now stands which would render the carrier, its officers or agents, punishable if by false billing, false classification, false weighing, or false report of weight, or by any other device or means whatsoever, they shall give undue or unreasonable preferences or advantages. The Commission believes that the penal provisions against wrongs of this nature should embrace also the owner of the property or any party acting for the owner or consignor of property who shall be a party to any such unlawful conduct, and it urges the passage of the provisions on the subject contained in the pending bill.

There are many instances in which important lines, in transporting property from one point in a State to another point in the same State, will pass through another State; as lines from New York to Buffalo pass through New Jersey and Pennsylvania, and lines from northern Louisiana to New Orleans pass into and out of Mississippi. It is sometimes claimed that a carrier engaged in such transportation is not subject to the act, since the property or persons transported are received for carriage from point to point within the same State, and not from one State to another State. The construction suggested is technical, and is not accepted by the Commission as sound, but a certain plausibility is given to it by the fact that the carriers engaged in transportation from point to point in the United States through a foreign country are expressly made subject to the act, while the same words are not applied to carriers engaged in transportation from point to point in a State, but through another State. The Commission suggests that the question thus raised be settled by express provision.

Another question of construction ought also to be settled by legislation in order to take away the pretense on which certain through lines are now claimed to be local lines in fact and through lines only in appearance. It is well known that many cases exist in which one corporation, either directly or through a trustee, holds the majority or perhaps all the stock of another, and thus controls the other to all intents and purposes, though keeping up a separate organization for the distribution of income among stockholders. The official board and staff of the two in such a case may not be identical; in many cases they are wholly so.

There are also cases in which a corporation created for the purpose of operating existing roads does so through a control of stock in the companies owning them. The claim is understood to be made in some cases, where separate organizations are maintained and no lease given of the subordinate road, that the road is to be considered and treated precisely as though no such ownership or holding of its stock existed, and that a through line is not formed over it in connection with the one owning or holding its stock except when by contract between the two such a line is expressly created. If the law now sustains this claim, it should, as the Commission thinks, be amended; if a line is in fact a through line by reason of ownership, the corporation controlling it ought not to be at liberty to make through rates or to decline to make them at pleasure.

The act to regulate commerce, in its third section, requires every common carrier subject to its provisions, according to their respective powers, to afford all reasonable, proper, and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding and delivering of passengers and property to and from their several lines and those connecting therewith. It is claimed by some carriers, and perhaps the claim represents the prevalent opinion among them on the subject, that while each carrier must afford equal facilities for the interchange of traffic as between competing lines, when it furnishes any, it is at liberty to abstain altogether from entering into joint arrangements with other lines for the exchange of traffic, and that when it shall do so it may remain altogether a local road. Especially is this claim made on behalf of roads whose lines are wholly within the boundaries of a single State. It is said they are purely State roads, and they can not, except at their own option, be compelled to engage in interstate traffic.

As is said elsewhere in this report, however, there are probably very few of the carriers by rail in the country that are not to some extent engaged in interstate commerce, and whether or not such a carrier enters into joint arrangements with other carriers for the purpose is believed to be immaterial to the power of Congress to regulate such interstate traffic as it actually engages in. Probably the act as it now stands in its specification of the carriers to which it is made to apply would not reach the case of a carrier by railroad entirely within a State that did not enter into joint traffic arrangements for interstate traffic, but the specification falls short of the full power of Congress in this regard, and it is believed that it would be quite within that power to make provisions under which all roads engaged in interstate traffic, whether by contract arrangements with other roads or not, would not only be subject to regulation when they make joint traffic arrangements, but should be required to make such arrangements when the interests of the general public seem to demand it, and that, in case of a failure to agree with other roads upon the terms of arrangement, the Commission should be empowered to prescribe them.

It must also be within the power of Congress when a State road enters into traffic arrangements with another, so as to be, in respect to the traffic covered by it, within the terms of the act, to require it to give, in respect to such traffic, the same reasonable, proper, and equal facilities for the interchange of traffic to other roads that it does to the line with which the arrangement is made. In other words, as the Commission believes, it should not be within the power of what is commonly called a State road, merely because its line does not extend beyond State boundaries, to so limit its participation in interstate commerce as to establish discriminations therein between connecting lines, or between places and persons, as it is now claimed that it may do.

It is the opinion of the Commission that the interest of the public would be subserved by further amending the third section by adding thereto a provision that—

The facilities to be so afforded shall include the due and reasonable receiving, forwarding, and delivering by every such common carrier, at the request of any other such common carrier, of through traffic at through rates or fares. If any one of such common carriers shall desire to form a through route for interstate traffic or any class thereof over its own line or any part thereof, in connection with the line, or any part of the line of one or more other common carriers, it shall address a request in writing to the other common carrier or carriers, describing therein the proposed route specifically, and naming proposed through rates or fares and divisions thereof for such traffic, and shall deliver such request to such other carrier or carriers and also transmit a copy.

thereof to the Commission hereinafter named. If the other common carrier or carriers shall not, within ten days after receiving such request, make and serve and file with the Commission written objections either to the proposed route or to the proposed rates, fares, or divisions, the same so far as not objected to shall be deemed agreed to, but if either the route, the rates, or fares, or the divisions, are objected to, the objections shall be stated in writing and transmitted to the Commission, and the Commission shall then have power to determine whether, having regard to all the circumstances, the route proposed is demanded in the public interest and is a reasonable route for the traffic, and if the Commission shall so find, and the rate or divisions are not assented to, the Commission shall have the further power to prescribe the same; but the Commission in any case, in apportioning the through rate, shall take into consideration all the circumstances of the case, including any special expense incurred in respect of the construction, maintenance, or working of the route, or any part thereof, as well as any special charges which any such common carrier may have been entitled to make in respect thereof, and it shall not be lawful for the Commission in any case to compel any company to accept lower mileage rates than the mileage rates which such company may for the time being legally be charging for like traffic carried by a like mode of transit, on any other line of communication between the same points, being the points of departure and arrival of the through route.

The Commission also recommend that the carriers engaged independently in interstate traffic on the rivers, lakes, and other navigable waters of the country be put in respect to the making, publishing, and maintaining rates upon the same footing with interstate carriers by rail. It is believed they will be benefited rather than harmed thereby, and that the excuses now made by carriers by rail for great disparities in rates for corresponding transportations as between points which are and points which are not affected by water competition would thereby to a large extent be taken away.

The Commission also refers to what is said regarding the transportation of immigrants in another part of this report, in which general legislation on that subject is urgently recommended.

For the purpose of convenient and necessary reference in connection with the foregoing suggestions the Commission has caused to be printed and annexed to this report, marked Appendix A, a copy of the act to regulate commerce approved February 4, 1887; and also extracts from legislation in the Dominion of Canada and in Great Britain upon cognate subjects, including a copy of the railway and canal traffic act enacted by the English Parliament August 10, 1888, which is to come into operation January 1, 1889.

All of which is respectfully submitted.

Dated December 1, 1888.

THOMAS M. COOLEY,
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ALDACE F. WALKER,
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Interstate Commerce Commissioners.

APPENDICES.

APPENDIX A.

COPY OF ACT TO REGULATE COMMERCE, AND STATEMENT OF EXISTING LEGISLATION UPON SIMILAR MATTERS IN CANADA AND IN ENGLAND.

(1)

AN ACT to regulate commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of this act shall apply to any common carrier or carriers engaged in the transportation of passengers or property wholly by railroad, or partly by railroad and partly by water, when both are used, under a common control, management, or arrangement, for a continuous carriage or shipment, from one State or Territory of the United States, or the District of Columbia, to any other State or Territory of the United States, or the District of Columbia, or from any place in the United States to an adjacent foreign country, or from any place in the United States through a foreign country to any other place in the United States, and also to the transportation in like manner of property shipped from any place in the United States to a foreign country and carried from such place to a port of transshipment, or shipped from a foreign country to any place in the United States and carried to such place from a port of entry either in the United States or an adjacent foreign country: *Provided, however,* That the provisions of this act shall not apply to the transportation of passengers or property, or to the receiving, delivering, storage, or handling of property, wholly within one State, and not shipped to or from a foreign country from or to any State or Territory, as aforesaid.

The term "railroad" as used in this act shall include all bridges and ferries used or operated in connection with any railroad, and also all the road in use by any corporation operating a railroad, whether owned or operated under a contract, agreement, or lease; and the term "transportation" shall include all instrumentalities of shipment or carriage.

All charges made for any service rendered or to be rendered in the transportation of passengers or property as aforesaid, or in connection therewith, or for the receiving, delivering, storage, or handling of such property, shall be reasonable and just; and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful.

SEC. 2. That if any common carrier subject to the provisions of this act shall, directly or indirectly, by any special rate, rebate, drawback, or other device, charge, demand, collect, or receive from any person or persons a greater or less compensation for any service rendered, or to be rendered, in the transportation of passengers or property, subject to the provisions of this act, than it charges, demands, collects, or receives from any other person or persons for doing for him or them a like and contemporaneous service in the transportation of a like kind of traffic under substantially similar circumstances and conditions, such common carriers shall be deemed guilty of unjust discrimination, which is hereby prohibited and declared to be unlawful.

SEC. 3. That it shall be unlawful for any common carrier subject to the provisions of this act to make or give any undue or unreasonable preference or advantage to any particular person, company, firm, corporation, or locality, or any particular de-

scription of traffic, in any respect whatsoever, or to subject any particular person, company, firm, corporation, or locality, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever.

Every common carrier subject to the provisions of this act shall, according to their respective powers, afford all reasonable, proper, and equal facilities for the interchange of traffic between their respective lines, and for the receiving, forwarding, and delivering of passengers and property to and from their several lines and those connecting therewith, and shall not discriminate in their rates and charges between such connecting lines; but this shall not be construed as requiring any such common carrier to give the use of its tracks or terminal facilities to another carrier engaged in like business.

SEC. 4. That it shall be unlawful for any common carrier subject to the provisions of this act to charge or receive any greater compensation in the aggregate for the transportation of passengers or of like kind of property, under substantially similar circumstances and conditions, for a shorter than for a longer distance over the same line, in the same direction, the shorter being included within the longer distance; but this shall not be construed as authorizing any common carrier within the terms of this act to charge and receive as great compensation for a shorter as for a longer distance: *Provided, however,* That upon application to the Commission appointed under the provisions of this act, such common carrier may, in special cases, after investigation by the Commission, be authorized to charge less for longer than for shorter distances for the transportation of passengers or property; and the Commission may from time to time prescribe the extent to which such designated common carrier may be relieved from the operation of this section of this act.

SEC. 5. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any contract, agreement, or combination with any other common carrier or carriers for the pooling of freights of different and competing railroads, or to divide between them the aggregate or net proceeds of the earnings of such railroads, or any portion thereof; and in any case of an agreement for the pooling of freights as aforesaid, each day of its continuance shall be deemed a separate offense.

SEC. 6. That every common carrier subject to the provisions of this act shall print and keep for public inspection schedules showing the rates and fares and charges for the transportation of passengers and property which any such common carrier has established and which are in force at the time upon its railroad, as defined by the first section of this act. The schedules printed as aforesaid by any such common carrier shall plainly state the places upon its railroad between which property and passengers will be carried, and shall contain the classification of freight in force upon such railroad, and shall also state separately the terminal charges and any rules or regulations which in any wise change, affect, or determine any part or the aggregate of such aforesaid rates and fares and charges. Such schedules shall be plainly printed in large type, of at least the size of ordinary pica, and copies for the use of the public shall be kept in every depot or station upon any such railroad, in such places and in such form that they can be conveniently inspected.

Any common carrier subject to the provisions of this act receiving freight in the United States to be carried through a foreign country to any place in the United States shall also in like manner print and keep for public inspection, at every depot where such freight is received for shipment, schedules showing the through rates established and charged by such common carrier to all points in the United States beyond the foreign country to which it accepts freight for shipment; and any freight shipped from the United States through a foreign country into the United States, the through rate on which shall not have been made public as required by this act, shall, before it is admitted into the United States from said foreign country, be subject to customs duties as if said freight were of foreign production; and any law in conflict with this section is hereby repealed.

No advance shall be made in the rates, fares, and charges which have been established and published as aforesaid by any common carrier in compliance with the requirements of this section, except after ten days' public notice, which shall plainly state the changes proposed to be made in the schedule then in force, and the time when the increased rates, fares, or charges will go into effect; and the proposed changes shall be shown by printing new schedules, or shall be plainly indicated upon the schedules in force at the time and kept for public inspection. Reductions in such published rates, fares, or charges may be made without previous public notice; but whenever any such reduction is made, notice of the same shall immediately be publicly posted and the changes made shall immediately be made public by printing new schedules, or shall immediately be plainly indicated upon the schedules at the time in force and kept for public inspection.

And when any such common carrier shall have established and published its rates, fares, and charges in compliance with the provisions of this section, it shall be unlawful for such common carrier to charge, demand, collect, or receive from any person or persons a greater or less compensation for the transportation of passengers or prop-

erty, or for any services in connection therewith, than is specified in such published schedule of rates, fares, and charges as may at the time be in force.

Every common carrier subject to the provisions of this act shall file with the Commission hereinafter provided for copies of its schedules of rates, fares, and charges which have been established and published in compliance with the requirements of this section, and shall promptly notify said Commission of all changes made in the same. Every such common carrier shall also file with said Commission copies of all contracts, agreements, or arrangements with other common carriers in relation to any traffic affected by the provisions of this act to which it may be a party. And in cases where passengers and freight pass over continuous lines or routes operated by more than one common carrier, and the several common carriers operating such lines or routes establish joint tariffs of rates or fares or charges for such continuous lines or routes, copies of such joint tariffs shall also, in like manner, be filed with said Commission. Such joint rates, fares, and charges on such continuous lines so filed as aforesaid shall be made public by such common carriers when directed by said Commission, in so far as may, in the judgment of the Commission, be deemed practicable; and said Commission shall from time to time prescribe the measure of publicity which shall be given to such rates, fares, and charges, or to such part of them as it may deem it practicable for such common carriers to publish, and the places in which they shall be published; but no common carrier party to any such joint tariff shall be liable for the failure of any other common carrier party thereto to observe and adhere to the rates, fares, or charges thus made and published.

If any such common carrier shall neglect or refuse to file or publish its schedules or tariffs of rates, fares, and charges as provided in this section, or any part of the same, such common carrier shall, in addition to other penalties herein prescribed, be subject to a writ of mandamus, to be issued by any circuit court of the United States in the judicial district wherein the principal office of said common carrier is situated or wherein such offense may be committed, and if such common carrier be a foreign corporation, in the judicial circuit wherein such common carrier accepts traffic and has an agent to perform such service, to compel compliance with the aforesaid provisions of this section; and such writ shall issue in the name of the people of the United States, at the relation of the Commissioners appointed under the provisions of this act; and failure to comply with its requirements shall be punishable as and for a contempt; and the said Commissioners, as complainants, may also apply, in any such circuit court of the United States, for a writ of injunction against such common carrier, to restrain such common carrier from receiving or transporting property among the several States and Territories of the United States, or between the United States and adjacent foreign countries, or between ports of transshipment and of entry and the several States and Territories of the United States, as mentioned in the first section of this act, until such common carrier shall have complied with the aforesaid provisions of this section of this act.

SEC. 7. That it shall be unlawful for any common carrier subject to the provisions of this act to enter into any combination, contract, or agreement, expressed or implied, to prevent, by change of time schedule, carriage in different cars, or by other means or devices, the carriage of freights from being continuous from the place of shipment to the place of destination; and no break of bulk, stoppage, or interruption made by such common carrier shall prevent the carriage of freights from being and being treated as one continuous carriage from the place of shipment to the place of destination, unless such break, stoppage, or interruption was made in good faith for some necessary purpose, and without any intent to avoid or unnecessarily interrupt such continuous carriage or to evade any of the provisions of this act.

SEC. 8. That in case any common carrier subject to the provisions of this act shall do, cause to be done, or permit to be done any act, matter, or thing in this act prohibited or declared to be unlawful, or shall omit to do any act, matter, or thing in this act required to be done, such common carrier shall be liable to the person or persons injured thereby for the full amount of damages sustained in consequence of any such violation of the provisions of this act, together with a reasonable counsel or attorney's fee, to be fixed by the court in every case of recovery, which attorney's fee shall be taxed and collected as part of the costs in the case.

SEC. 9. That any person or persons claiming to be damaged by any common carrier subject to the provisions of this act may either make complaint to the Commission as hereinafter provided for, or may bring suit in his or their own behalf for the recovery of the damages for which such common carrier may be liable under the provisions of this act, in any district or circuit court of the United States of competent jurisdiction; but such person or persons shall not have the right to pursue both of said remedies, and must in each case elect which one of the two methods of procedure herein provided for he or they will adopt. In any such action brought for the recovery of damages the court before which the same shall be pending may compel any director, officer, receiver, trustee, or agent of the corporation or company defendant in such suit to attend, appear, and testify in such case, and may compel the produc-

tion of the books and papers of such corporation or company party to any such suit; the claim that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such witness from testifying, but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

SEC. 10. That any common carrier subject to this provisions of this act, or whenever such common carrier is a corporation, any director or officer thereof, or any receiver, trustee, lessee, agent, or person acting for or employed by such corporation, who, alone or with any other corporation, company, person, or party, shall willfully do or cause to be done, or shall willingly suffer or permit to be done, any act, matter, or thing in this act prohibited or declared to be unlawful, or who shall aid or abet therein, or shall willfully omit or fail to do any act, matter, or thing in this act required to be done, or shall cause or willingly suffer or permit any act, matter, or thing so directed or required by this act to be done not to be so done, or shall aid or abet any such omission or failure, or shall be guilty of any infraction of this act, or shall aid or abet therein, shall be deemed guilty of a misdemeanor, and shall, upon conviction thereof in any district court of the United States within the jurisdiction of which such offense was committed, be subject to a fine of not to exceed five thousand dollars for each offense.

SEC. 11. That a Commission is hereby created and established to be known as the Inter-State Commerce Commission, which shall be composed of five Commissioners, who shall be appointed by the President, by and with the advice and consent of the Senate. The Commissioners first appointed under this act shall continue in office for the term of two, three, four, five, and six years, respectively, from the first day of January, anno Domini eighteen hundred and eighty-seven, the term of each to be designated by the President; but their successors shall be appointed for terms of six years, except that any person chosen to fill a vacancy shall be appointed only for the unexpired time of the Commissioner whom he shall succeed. Any Commissioner may be removed by the President for inefficiency, neglect of duty, or malfeasance in office. Not more than three of the Commissioners shall be appointed from the same political party. No person in the employ of or holding any official relation to any common carrier subject to the provisions of this act, or owning stock or bonds thereof, or who is in any manner pecuniarily interested therein, shall enter upon the duties of or hold such office. Said Commissioners shall not engage in any other business, vocation, or employment. No vacancy in the Commission shall impair the right of the remaining Commissioners to exercise all the powers of the Commission.

SEC. 12. That the Commission hereby created shall have authority to inquire into the management of the business of all common carriers subject to the provisions of this act, and shall keep itself informed as to the manner and method in which the same is conducted, and shall have the right to obtain from such common carriers full and complete information necessary to enable the Commission to perform the duties and carry out the objects for which it was created; and for the purposes of this act the Commission shall have power to require the attendance and testimony of witnesses and the production of all books, papers, tariffs, contracts, agreements, and documents relating to any matter under investigation, and to that end may invoke the aid of any court of the United States in requiring the attendance and testimony of witnesses and the production of books, papers, and documents under the provisions of this section.

And any of the circuit courts of the United States within the jurisdiction of which such inquiry is carried on may, in case of contumacy or refusal to obey a subpoena issued to any common carrier subject to the provisions of this act, or other person, issue an order requiring such common carrier or other person to appear before said Commission (and produce books and papers if so ordered) and give evidence touching the matter in question; and any failure to obey such order of the court may be punished by such court as a contempt thereof. The claim that any such testimony or evidence may tend to criminate the person giving such evidence shall not excuse such witness from testifying; but such evidence or testimony shall not be used against such person on the trial of any criminal proceeding.

SEC. 13. That any person, firm, corporation, or association, or any mercantile, agricultural, or manufacturing society, or any body politic or municipal organization complaining of anything done or omitted to be done by any common carrier subject to the provisions of this act in contravention of the provisions thereof, may apply to said Commission by petition, which shall briefly state the facts; whereupon a statement of the charges thus made shall be forwarded by the Commission to such common carrier, who shall be called upon to satisfy the complaint or to answer the same in writing within a reasonable time, to be specified by the Commission. If such common carrier, within the time specified, shall make reparation for the injury alleged to have been done, said carrier shall be relieved of liability to the complainant only for the particular violation of law thus complained of. If such carrier shall not satisfy the complaint within the time specified, or there shall appear to be any reason-

able ground for investigating said complaint, it shall be the duty of the Commission to investigate the matters complained of in such manner and by such means as it shall deem proper.

Said Commission shall in like manner investigate any complaint forwarded by the railroad commissioner or railroad commission of any State or Territory, at the request of such commissioner or commission, and may institute any inquiry on its own motion in the same manner and to the same effect as though complaint had been made.

No complaint shall at any time be dismissed because of the absence of direct damage to the complainant.

SEC. 14. That whenever an investigation shall be made by said Commission, it shall be its duty to make a report in writing in respect thereto, which shall include the findings of fact upon which the conclusions of the Commission are based, together with its recommendation as to what reparation, if any, should be made by the common carrier to any party or parties who may be found to have been injured; and such findings so made shall thereafter, in all judicial proceedings, be deemed *prima facie* evidence as to each and every fact found.

All reports of investigations made by the Commission shall be entered of record, and a copy thereof shall be furnished to the party who may have complained, and to any common carrier that may have been complained of.

SEC. 15. That if in any case in which an investigation shall be made by said Commission, it shall be made to appear to the satisfaction of the Commission, either by the testimony of witnesses or other evidence, that anything has been done or omitted to be done in violation of the provisions of this act, or of any law cognizable by said Commission, by any common carrier, or that any injury or damage has been sustained by the party or parties complaining, or by other parties aggrieved in consequence of any such violation, it shall be the duty of the Commission to forthwith cause a copy of its report in respect thereto to be delivered to such common carrier, together with a notice to said common carrier to cease and desist from such violation, or to make reparation for the injury so found to have been done, or both, within a reasonable time, to be specified by the Commission; and if, within the time specified, it shall be made to appear to the Commission that such common carrier has ceased from such violation of law, and has made reparation for the injury found to have been done, in compliance with the report and notice of the Commission, or to the satisfaction of the party complaining, a statement to that effect shall be entered of record by the Commission, and the said common carrier shall thereupon be relieved from further liability or penalty for such particular violation of law.

SEC. 16. That whenever any common carrier, as defined in and subject to the provisions of this act, shall violate or refuse or neglect to obey any lawful order or requirement of the Commission in this act named, it shall be the duty of the Commission, and lawful for any company or person interested in such order or requirement, to apply, in a summary way, by petition, to the circuit court of the United States sitting in equity in the judicial district in which the common carrier complained of has its principal office, or in which the violation or disobedience of such order or requirement shall happen, alleging such violation or disobedience, as the case may be; and the said court shall have power to hear and determine the matter, on such short notice to the common carrier complained of as the court shall deem reasonable; and such notice may be served on such common carrier, his or its officers, agents, or servants, in such manner as the court shall direct; and said court shall proceed to hear and determine the matter speedily as a court of equity, and without the formal pleadings and proceedings applicable to ordinary suits in equity, but in such manner as to do justice in the premises; and to this end such court shall have power, if it think fit, to direct and prosecute, in such mode and by such persons as it may appoint, all such inquiries as the court may think needful to enable it to form a just judgment in the matter of such petition; and on such hearing the report of said Commission shall be *prima facie* evidence of the matters therein stated; and if it be made to appear to such court, on such hearing or on report of any such person or persons, that the lawful order or requirement of said Commission drawn in question has been violated or disobeyed, it shall be lawful for such court to issue a writ of injunction or other proper process, mandatory or otherwise, to restrain such common carrier from further continuing such violation or disobedience of such order or requirement of said Commission, and enjoining obedience to the same; and in case of any disobedience of any such writ of injunction or other proper process, mandatory or otherwise, it shall be lawful for such court to issue writs of attachment, or any other process of said court incident or applicable to writs of injunction or other proper process, mandatory or otherwise, against such common carrier, and if a corporation, against one or more of the directors, officers, or agents of the same, or against any owner, lessee, trustee, receiver, or other person failing to obey such writ of injunction or other proper process, mandatory or otherwise; and said court may, if it shall think fit, make an order directing such common carrier or other person so disobeying such writ of injunction or other proper process, mandatory or otherwise, to pay such sum of money not exceeding for each carrier or person

in default the sum of five hundred dollars for every day after a day to be named in the order that such carrier or other person shall fail to obey such injunction or other proper process, mandatory or otherwise; and such moneys shall be payable as the court shall direct, either to the party complaining, or into court to abide the ultimate decision of the court, or into the Treasury; and payment thereof may without prejudice to any other mode of recovering the same, be enforced by attachment or order in the nature of a writ of execution, in like manner as if the same had been recovered by a final decree in personam in such court. When the subject in dispute shall be of the value of two thousand dollars or more, either party to such proceeding before said court may appeal to the Supreme Court of the United States, under the same regulations now provided by law in respect of security for such appeal; but such appeal shall not operate to stay or supersede the order of the court or the execution of any writ or process thereon, and such court may, in every such matter, order the payment of such costs and counsel fees as shall be deemed reasonable. Whenever such petition shall be filed or presented by the Commission it shall be the duty of the district attorney, under the direction of the Attorney-General of the United States to prosecute the same; and the costs and expenses of such prosecution shall be paid out of the appropriation for the expenses of the courts of the United States. For the purposes of this act, excepting its penal provisions, the circuit courts of the United States shall be deemed to be always in session.

SEC. 17. That the Commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice. A majority of the Commission shall constitute a quorum for the transaction of business, but no Commissioner shall participate in any hearing or proceeding in which he has any pecuniary interest. Said Commission may, from time to time, make or amend such general rules or orders as may be requisite for the order and regulation of proceedings before it, including forms of notices and the service thereof, which shall conform, as nearly as may be, to those in use in the courts of the United States. Any party may appear before said Commission and be heard, in person or by attorney. Every vote and official act of the Commission shall be entered of record, and its proceedings shall be public upon the request of either party interested. Said Commission shall have an official seal, which shall be judicially noticed. Either of the members of the Commission may administer oaths and affirmations.

SEC. 18. That each Commissioner shall receive an annual salary of seven thousand five hundred dollars, payable in the same manner as the salaries of judges of the courts of the United States. The Commission shall appoint a secretary, who shall receive an annual salary of three thousand five hundred dollars, payable in like manner. The Commission shall have authority to employ and fix the compensation of such other employees as it may find necessary to the proper performance of its duties, subject to the approval of the Secretary of the Interior.

The Commission shall be furnished by the Secretary of the Interior with suitable offices and all necessary office supplies. Witnesses summoned before the Commission shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

All of the expenses of the Commission, including all necessary expenses for transportation incurred by the Commissioners, or by their employees under their orders, in making any investigation in any other places than in the city of Washington, shall be allowed and paid, on the presentation of itemized vouchers therefor approved by the chairman of the Commission and the Secretary of the Interior.

SEC. 19. That the principal office of the Commission shall be in the city of Washington, where its general sessions shall be held; but whenever the convenience of the public or of the parties may be promoted or delay or expense prevented thereby, the Commission may hold special sessions in any part of the United States. It may, by one or more of the Commissioners, prosecute any inquiry necessary to its duties, in any part of the United States, into any matter or question of fact pertaining to the business of any common carrier subject to the provisions of this act.

SEC. 20. That the Commission is hereby authorized to require annual reports from all common carriers subject to the provisions of this act, to fix the time and prescribe the manner in which such reports shall be made, and to require from such carriers specific answers to all questions upon which the Commission may need information. Such annual reports shall show in detail the amount of capital stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises, and equipment; the number of employees and the salaries paid each class; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance-sheet. Such reports shall also contain such information in relation

to rates or regulations concerning fares or freights, or agreements, arrangements, or contracts with other common carriers, as the Commission may require; and the said Commission may, within its discretion, for the purpose of enabling it the better to carry out the purposes of this act, prescribe (if in the opinion of the Commission it is practicable to prescribe such uniformity and methods of keeping accounts) a period of time within which all common carriers subject to the provisions of this act shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept.

SEC. 21. That the Commission shall, on or before the first day of December in each year, make a report to the Secretary of the Interior, which shall be by him transmitted to Congress, and copies of which shall be distributed as are the other reports issued from the Interior Department. This report shall contain such information and data collected by the Commission as may be considered of value in the determination of questions connected with the regulation of commerce, together with such recommendations as to additional legislation relating thereto as the Commission may deem necessary.

SEC. 22. That nothing in this act shall apply to the carriage, storage, or handling of property free or at reduced rates for the United States, State, or municipal governments, or for charitable purposes, or to or from fairs and expositions for exhibition thereat, or the issuance of mileage, excursion, or commutation passenger tickets; nothing in this act shall be construed to prohibit any common carrier from giving reduced rates to ministers of religion; nothing in this act shall be construed to prevent railroads from giving free carriage to their own officers and employes, or to prevent the principal officers of any railroad company or companies from exchanging passes or tickets with other railroad companies for their officers and employees; and nothing in this act contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this act are in addition to such remedies. *Provided*, That no pending litigation shall in any way be affected by this act.

SEC. 23. That the sum of one hundred thousand dollars is hereby appropriated for the use and purposes of this act for the fiscal year ending June thirtieth, anno Domini eighteen hundred and eighty-eight, and the intervening time anterior thereto.

SEC. 24. That the provisions of sections eleven and eighteen of this act, relating to the appointment and organization of the Commission herein provided for, shall take effect immediately, and the remaining provisions of this act shall take effect sixty days after its passage.

Approved, February 4, 1887.

(2)

CANADIAN LEGISLATION.

An act respecting railways, to be known as "the railway act," was adopted by the senate and house of commons of Canada during the present year, which became a law on May 22, 1888.

A Royal commission of five members had previously examined the general subject, and filed a report under date of January 14, 1888.

The new railway act comprises 309 sections, covering the entire ground of railway legislation, including organization, capital stock, powers, right of way, tolls, working of the railway, accidents, statistics, etc.

The following sections are those which relate to subjects corresponding in their nature to the matters of regulation embraced in the act to regulate commerce of the United States.

THE RAILWAY COMMITTEE.

8. The railway committee of the privy council shall consist of the minister of railways and canals, who shall be chairman thereof, of the minister of justice and of two or more of the other members of the Queen's privy council for Canada to be from time to time appointed by the governor in council, three of whom shall form a quorum; and such committee shall have the powers and perform the duties assigned to it by this act.

9. The deputy of the minister of railways and canals, or some other fit person appointed by the committee, shall be secretary of the committee.

10. The railway committee may—

(a) Regulate and limit the rate of speed at which railway trains and locomotives may be run in any city, town, or village, or in any class of cities, towns, or villages described in any regulation; limiting, if the said railway committee think fit, the rate of speed within certain described portions of any city, town, or village, and allowing another rate of speed in other portions thereof, which rate of speed shall not in any case exceed 6 miles an hour, unless the track is properly fenced;

(b) Make regulations with respect to the use of the steam whistle within any city, town, or village, or any portion thereof;

(c) Make regulations with respect to the method of passing from one car to another either inside or overhead, and for the safety of railway employes while passing from one car to another, and for the coupling of cars;

(d) Impose penalties, not exceeding \$20 for each offense, on every person who offends against any regulation made under this section—which penalties shall be recoverable upon summary conviction;

(e) The imposition of any such penalties shall not lessen or affect any other liability which any person may have incurred.

11. The railway committee shall have power to inquire into, hear, and determine any application, complaint, or dispute respecting—

(a) Any right of way over or through lands owned or occupied by any company;

(b) Changes in location for lessening a curve, reducing a gradient, or benefiting the railway, or for other purposes of public advantage;

(c) The construction of branch lines exceeding one-quarter of a mile in length, but not exceeding 6 miles.

(d) The crossing of the tracks of one company by the tracks of another company;

(e) The alignment, arrangement, disposition, or location of tracks;

(f) The use by one company of the tracks, stations or station grounds of another company;

(g) The construction of works in navigable waters;

(h) The construction of railways upon, along, and across highways;

(i) The proportion in which the cost of fencing the approaches to crossings on railways constructed or under construction on the 19th of April, 1884, shall be borne by the company and the municipality or person interested;

(j) The compensation to be made to any person or company in respect of any work or measure directed to be made or taken, or the cost thereof, or the proportion of such cost to be borne by any person or company;

(k) Tolls and rates for the transportation of passengers and freight;

(l) The adjustment of such tolls and rates between companies;

- (m) Running powers or haulage;
- (n) Traffic arrangements;
- (o) Transshipment or interchange of freight;
- (p) Unjust preferences, discrimination, or extortion;
- (q) Any highway or street, ditch, or sewer, water, gas, or other pipes, or mains over or through lands owned or occupied by the company; or
- (r) Any matter, act, or thing, which by this or the special act is sanctioned, required to be done, or prohibited.

12. The railway committee or the minister may appoint or direct any person to make an inquiry and report upon any application, complaint, or dispute pending before such committee, or any matter or thing connected therewith or incident thereto.

15. The railway committee, the minister, and every such engineer, commissioner, or person, shall have the same power to enforce the attendance of witnesses and to compel them to give evidence and produce the books, papers, or things which they are required to produce, as is vested in any court in civil cases.

16. Every person summoned to attend before the railway committee, or the minister, or before any such engineer, commissioner, or person, shall receive the same fees and allowances for so doing as if summoned to attend before a court of civil jurisdiction in the Province in which he is required to appear.

17. Any decision or order made by the railway committee under this act may be made an order of the exchequer court of Canada, or of any superior court of any Province of Canada, and shall be enforced in like manner as any rule or order of such court.

18. The railway committee may review and rescind or vary any decision or order previously made by it.

19. The railway committee may, if it thinks fit, at the instance of any party to the proceedings before it, and upon such security being given as it directs, state a case in writing for the opinion of the supreme court of Canada upon any question which in the opinion of the committee is a question of law.

20. The supreme court of Canada shall hear and determine the question or questions of law arising thereon and remit the matter to the railway committee, with the opinion of the court thereon.

21. Subject to the provisions of section 18, every decision and order of the railway committee shall be final: Provided always, that either party may petition the governor in council, and the governor in council may, in his discretion, rescind, change, or vary such order as he deems just and proper.

22. The costs of and incidental to any proceeding before the railway committee shall be in the discretion of the committee.

23. Every document purporting to be signed by the chairman and secretary of the railway committee, or by either of them, or by the minister, shall be received in evidence without proof of any such signature, and until the contrary is proved shall be deemed to have been so signed and to have been duly executed or issued by such committee or by the minister as the case may be.

24. Every decision and order of the railway committee shall be considered as made known to the company by a notice thereof, signed by the chairman and the secretary of the committee or by either of them and delivered to the president, vice-president, managing director, secretary, or superintendent of the company, or at the office of the company; and every order of the minister or of the inspecting engineer shall be deemed to be made known to the company by a notice thereof, signed respectively by the minister or the engineer, and delivered as above mentioned.

25. Every company shall, as soon as possible after the receipt of any order or notice of the railway committee or the minister or the inspecting engineer, give cognizance thereof to each of its officers and servants, by delivering a copy to him, or by posting up a copy thereof in some place where his work or his duties, or some of them, are to be performed.

57. No person who holds any office, place, or employment in, or who is concerned or interested in any contract under or with the company, or is surety for any contractor, shall be capable of being chosen a director, or of holding the office of director, nor shall any person who is a director of the company enter into, or be directly or indirectly, for his own use and benefit, interested in any contract with the company, other than a contract which relates to the purchase of land necessary for the railway, or be or become a partner of or surety for any contractor with the company.

62. The directors shall cause to be kept and, annually, on the 30th day of June, to be made up and balanced, a true, exact, and particular account of the moneys collected and received by the company or by the directors or managers thereof, or otherwise for the use of the company, and of the charges and expenses attending the erect-

ing, making, supporting, maintaining, and carrying on the undertaking, and of all other receipts and expenditures of the company or the directors.

71. No dividends shall be declared whereby the capital of the company is in any degree reduced or impaired, or be paid out of such capital, nor shall any dividend be paid in respect of any share, after a day appointed for payment of any call for money in respect thereof, until such call has been paid; but the directors may, in their discretion, until the railway is completed and opened to the public, pay interest at any rate not exceeding 6 per centum per annum on all sums called up in respect of the shares, from the respective days on which the same have been paid; and such interest shall accrue and be paid at such times and places as the directors appoint for that purpose.

72. No interest shall accrue to any shareholder in respect of any share upon which any call is in arrear, or in respect to any other share held by such shareholder while such call remains unpaid.

223. Subject to the provisions and restrictions in this and in the special act contained, the company may, by by-laws, or the directors, if thereunto authorized by the by-laws, may, from time to time, fix and regulate the tolls to be demanded and taken for all passengers and goods transported upon the railway, or in steam vessels belonging to the company.

224. Such tolls may be fixed either for the whole or for any particular portions of the railway; but all such tolls shall always, under the same circumstances, be charged equally to all persons, and at the same rate, whether per ton, per mile, or otherwise, in respect of all passengers and goods and railway carriages of the same description, and conveyed or propelled by a like railway carriage or engine, passing only over the same portion of the line of railway; and no reduction or advance in any such tolls shall be made, either directly or indirectly, in favor of or against any particular company or person traveling upon or using the railway.

225. The tolls fixed for large quantities or long distances may be proportionately less than the tolls fixed for small quantities or short distances, if such tolls are, under the same circumstances, charged equally to all persons; but in respect of quantity no special toll or rate shall be given or fixed for any quantity less than one carload of at least ten tons.

226. The company, in fixing or regulating the tolls to be demanded and taken for the transportation of goods, shall, except in respect to through traffic to or from the United States, adopt and conform to any uniform classification of freight which the governor in council on the report of the minister, from time to time, prescribes.

227. No tolls shall be levied or taken until the by-law fixing such tolls has been approved by the governor in council, nor until after two weekly publications in the Canada Gazette of such by-law and of the order in council approving thereof; nor shall any company levy or collect any money for services as a common carrier except subject to the provisions of this act.

228. Every by-law fixing and regulating tolls shall be subject to revision by the governor in council, from time to time, after approval thereof; and after an order in council altering the tolls fixed and regulated by any by-law has been twice published in the Canada Gazette, the tolls mentioned in such order in council shall be substituted for those mentioned in the by-law, so long as the order in council remains unrevoked.

229. In all cases a fraction in the distance over which goods or passengers are transported on the railway shall be considered as a whole mile; and for a fraction of a ton in the weight of any goods, a proportion of the tolls shall be demanded and taken, according to the number of quarters of a ton contained therein, and a fraction of a quarter of a ton shall be deemed and considered as a whole quarter of a ton.

230. The company shall, from time to time, cause to be printed and posted up in its offices, and in every place where the tolls are to be collected, in some conspicuous position, a printed board or paper, exhibiting all the rates of tolls payable, and particularizing the price or sum of money to be charged or taken for the carriage of any matter or thing.

231. Such tolls shall be paid to such persons and at such places, near to the railway, in such manner and under such regulations as the by-laws direct.

232. No company, in fixing any toll or rate, shall, under like conditions and circumstances, make any unjust or partial discrimination between different localities; but no discrimination between localities, which by reason of competition by water or railway, it is necessary to make to secure traffic, shall be deemed to be unjust or partial.

233. No company shall make or give any secret special toll, rate, rebate, drawback, or concession to any person; and every company shall, on the demand of any person, make known to him any special rate, rebate, drawback, or concession given to any one.

238. The directors of any company may, at any time, make and enter into any agreement or arrangement with any other company, either in Canada or elsewhere, for the regulation and interchange of traffic passing to and from the company's railways, and for the working of the traffic over the said railways respectively, or for either of those objects separately, and for the division and apportionment of tolls, rates, and charges in respect of such traffic, and generally in relation to the management and working of the railways, or any of them, or any part thereof, and of any railway or railways in connection therewith, for any term not exceeding twenty-one years, and to provide, either by proxy or otherwise, for the appointment of a joint committee or committees for the better carrying into effect any such agreement or arrangement, with such powers and functions as are considered necessary or expedient, subject to the consent of two-thirds of the stockholders voting in person or by proxy, and also to the approval of the governor in council.

239. Before such approval is given, notice of the application therefor shall be published in the Canada Gazette for at least two months previously to the time therein named for the making of such application; and such notice shall state a time and place when the application is to be made, and that all persons interested may then and there appear and be heard on such application.

240. Every company shall, according to its power, afford all reasonable facilities to any other railway company for the receiving and forwarding and delivery of traffic upon and from the several railways belonging to or worked by such companies respectively, and for the return of carriages, trucks, and other vehicles; and no such company shall make or give any undue or unreasonable preference or advantage to or in favor of any particular person or company, or any particular description of traffic in any respect whatsoever, nor shall any such company subject any particular person or company, or any particular description of traffic to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; and every company which has or works a railway which forms part of a continuous line of railway, or which intersects any other railway, or which has any terminus, station, or wharf near to any terminus, station, or wharf of any other railway, shall afford all due and reasonable facilities for receiving and forwarding by its railway all the traffic arriving by such other railway, without any unreasonable delay, and without any such preference or advantage, or prejudice or disadvantage, as aforesaid, and so that no obstruction is offered to the public desirous of using such railway as a continuous line of communication, and so that all reasonable accommodation, by means of the railways of the several companies, is, at all times, afforded to the public in that behalf; and any agreement made between any two or more companies contrary to this section shall be unlawful, and null and void.

241. Every officer, servant, or agent of any company, having the superintendence of the traffic at any station or depot thereof, who refuses or neglects to receive, convey, or deliver at any station or depot of the company for which they are destined, any passenger, goods, or thing, brought, conveyed, or delivered to him or such company, for conveyance over or along its railway from that of any other company, intersecting or being near to such first-mentioned railway, or who in any way willfully violates the provisions of the next preceding section, and the company first mentioned are, for each such refusal, neglect, or offense, severally liable, on summary conviction, to a penalty not exceeding fifty dollars over and above the actual damages sustained; which penalty shall be recoverable with costs, by the railway company or by any person aggrieved by such neglect or refusal, and such penalty shall belong to the said railway company, or other person so aggrieved.

242. Every company which grants any facilities to any incorporated express company or person shall grant equal facilities on equal terms and conditions to any other incorporated express company which demands the same.

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276. No company shall, either directly or indirectly, employ any of its funds in the purchase of its own stock, or in the acquisition of any shares, bonds, or other securities issued by any other railway company in Canada; but this shall not affect the powers or rights which any company in Canada now has or possesses by virtue of any special act to acquire, have, or hold the shares, bonds, or other securities of any railway company in the United States of America or Canada; nor shall it interfere with the right conferred on the Northern Railway Company of Canada, or the Hamilton and Northwestern Railway Company, to acquire stock in the Northern and Pacific Junction Railway Company, under the acts relating to the said first-named companies, respectively, passed by the Parliament of Canada in the forty-seventh year of Her Majesty's reign.

277. Every director of a railway company who knowingly permits the funds of any such company to be applied in violation of the next preceding section shall incur a penalty of \$1,000 for each such violation, which penalty shall be recoverable on information filed in the name of the attorney-general of Canada; and a moiety thereof shall belong to Her Majesty, and the other moiety thereof shall belong to the in-

former; and the acquisition of each share, bond, or other security, or interest, as aforesaid, shall be deemed a separate violation of the provisions aforesaid.

289. Every company, director, or officer doing, or causing or permitting to be done, any matter, act or thing contrary to the provisions of this or the special act, or to the orders or directions of the governor in council, or of the railway committee or minister made hereunder, or omitting to do any matter, act, or thing required to be done on the part of any such company, director, or officer, is liable to any person injured thereby for the full amount of damages sustained by such act or omission; and if no other penalty is in this or the special act provided for any such act or omission, is liable, for each offense, to a penalty of not less than \$20, and not more than \$5,000 in the discretion of the court before which the same is recoverable.

(2) This section shall only apply to companies and directors and officers of companies within the legislative authority of the parliament of Canada.

290. Every person from whom any company exacts any unjust or extortionate toll, rate, or charge shall, in addition to the amount so unjustly exacted, be entitled to recover from the company as damages an amount equal to three times the amount so unjustly exacted.

299. Every company shall annually prepare returns in accordance with the forms contained in schedule 1 to this act, of its capital, traffic, and working expenditure, and of all information required, as indicated in the said form, to be furnished to the minister; and such returns shall be dated and signed by, and attested upon the oath of the secretary, or some other chief officer of the company, and of the president, or, in his absence, of the vice-president or manager of the company.

(2) Such returns shall be made for the period included from the date to which the then last yearly returns made by the company extended, or from the commencement of the operation of the railway, if no such returns have been previously made, and, in either case, down to the last day of June in the then current year.

(3) A duplicate copy of such returns, dated, signed, and attested in manner aforesaid, shall be forwarded by such company to the minister within three months after the 1st day of July in each year.

(4) The company shall also, in addition to the information required to be furnished to the minister, as indicated in the said schedule 1, furnish such other information and returns as are, from time to time, required by the minister.

(5) Every company which makes default in forwarding such returns in accordance with the provisions of this section shall incur a penalty not exceeding \$10 for every day during which such default continues.

(6) The minister shall lay before both houses of parliament, within twenty-one days from the commencement of each session thereof, the returns made and forwarded to him in pursuance of this section.

300. Every company shall, weekly, prepare returns of its traffic for the next preceding seven days, in accordance with the form contained in schedule two to this act, and a copy of such returns, signed by the officer of the company responsible for the correctness of such returns, shall be forwarded by the company to the minister, within seven days from the day in each week up to which the said returns have been prepared; and another copy of each of such returns, signed by the same officer, shall be posted up by the company within the same delay, and kept posted up for seven days, in some conspicuous place in the most public room in the head office of the company in Canada, and so that the same can be perused by all persons; and free access thereto shall be allowed to all persons during the usual hours of business at such office, on each day of the said seven days not being a Sunday or holiday.

(2) Every company which makes default in forwarding the said weekly returns to the minister, or which fails to post up and keep posted up a copy thereof as aforesaid, and to allow free access thereto as aforesaid, shall incur a penalty not exceeding \$10 for every day during which such default continues.

301. Every person who, knowing the same to be false in any particular, signs any return required by the two sections next preceding, is guilty of a misdemeanor.

A few extracts are also presented in this connection from the above-mentioned report of the Royal Commission on Railways.

CANADIAN AND AMERICAN RAILWAYS.

Two natural causes exist whereby the very important advantage of low cost for transportation is insured to Canada. No doubt the cost of our railways enables their managers to work at smaller charges for capital account; but the main reasons are to be found, first, in competition by water; second, in competition by American railways at all points accessible by our navigable waters.

The competition by water is created by the natural geographical position of Canada and its possession of means of internal communication and export by the great lakes, the river St. Lawrence, and in the maritime provinces, the Gulf of St. Lawrence and the ocean. There is in fact no business center of any importance in the older provinces which is not directly situated upon the channel of water communication with the outside world. Canadian railways have to consider this in the establishment of their tariffs, and avoid by too high rates all inducement to merchants and others to hold over their imports and exports till the season of open navigation.

The American system of railways, also connecting the great lakes with the ocean, is able during the season of navigation to take very low rates from points in Ontario to the maritime provinces, and having also possession of one important railway in Ontario, the Canada Southern, can practically compete with the Canadian lines during the entire year; the whole trade of Canada undoubtedly benefiting by the water and rail competition of rival routes. By possessing the control of the St. Lawrence, Canada offers the shortest and cheapest route to the seaboard from the Western States bordering upon the great lakes. Her railways are thus enabled to draw largely upon the commerce of these States, making them contributory to the maintenance of her internal system of transportation, and cheapening the cost of performing it.

Other recent causes are also now operating to develop and extend these advantages. The Canadian Pacific Railway, in completing its line to the Pacific Ocean, points to an early revolution in the future carrying trade of Eastern Asia and Australia, while the connection of the same railway at Sault Ste. Marie with the new lines leading from Saint Paul and Minneapolis seem to insure the diversion through Canada of a large part of the traffic of the Northwestern States with New England and New York—a point of the greater importance, as it is proved that the wheat-growing zone in America is, from some unknown climatic influence, steadily moving northward, promising shortly to be in a great measure confined to the Northwestern States, Manitoba, and our own Northwest Territories.

In proof of the direct advantage of this through American trade to Canada the evidence of Mr. Hickson, the able manager of the Grand Trunk Railway, may be cited. He says: "The payments by the Grand Trunk Railway in Canada in working the through traffic have not been less than \$4,000,000 annually for the last four years. The effect of such an expenditure in employment and in the consumption of supplies must have been very beneficial, while as a necessary consequence the railway service of the entire Grand Trunk system must have been largely extended, to the manifest advantage of local districts."

The importance of maintaining and developing the foreign traffic passing through Canada can scarcely be exaggerated, and the natural advantages we possess, when supported and increased through a wise system of railway construction and management, can not fail to promote in the highest degree the prosperity of the country.

CLASSIFICATION OF FREIGHT.

The convenience to the public and also to the several railway companies of an uniform classification is so obvious that the commission consider it unnecessary to offer any extended remarks upon it, so far as it applies solely to railways in Canada. But as regards the through traffic from and to the United States, or such traffic as is carried on in connection with United States railways, it does not appear desirable to insist upon the Canadian classification being made applicable to such transportation.

They therefore recommend "that a uniform classification of freight be established and maintained by all railway companies, subject to the adoption, if desired by them, of the American classification for through traffic to and from the United States."

TARIFFS.

The commission have carefully considered all the information before them on this important subject, and believe the interests of commerce will be best served by leaving the arrangement of tariff rates for passengers and goods in the control of the several railway companies respectively, subject only to approval and revision of the maxima rates by an authorized tribunal.

They therefore recommend, "that the railway companies may make and establish tariffs, subject to the approval and revision of the maxima rates by such tribunal as may be constituted."

LONG AND SHORT HAUL.

Uniform mileage rates.—This question has probably given rise to more discussion than almost any other point connected with railway management. It forms the subject of much of the evidence given before the commission, and the greatest diversity of opinion exists upon it.

It has been the subject of repeated legislation in the United States, and in the celebrated "Granger" agitation in the West uniformity of mileage rates was imposed upon the railways by State legislation. Experience, however, tended to prove that the effect of such laws was injurious, leading to their early repeal or modification.

The subject has also received the greatest attention in connection with the interstate commerce bill, and the principle of uniformity of mileage rates was finally sanctioned by the act, reserving, however, to the railway commission power to suspend its operation on sufficient reason being shown. This power has since been exercised by the commission in certain cases, and it is not now imperative on all railways to establish uniform mileage rates under like conditions and in the same direction for long and short distances.

The reasons given for the suspension of this section of the interstate commerce act have received the greatest attention by the commission. They can not lose sight of the fact that where conveyance by water comes into competition with railways, it is not in the public interest to compel railways to transport freight at uniform mileage rates, as it involves the establishment either of such low rates as render the local traffic unremunerative, or such high rates as leave the through traffic between the competitive points wholly at the mercy of the carriers by water. The public interest will be best served by permitting rates between such competitive points to be determined by the respective carriers.

It is, moreover, manifest that the through traffic of Canada by railway, which the commission regard as of the utmost importance, can not possibly be carried on except at such rates, in combination sometimes with navigation, but more generally with American railways, as would be utterly inadequate if applied to ordinary local traffic.

While stating their opinion that the competition by water and rail from almost every important business center in Canada forbids the adoption of uniform mileage rates, the commission have not lost sight of the alleged unfair treatment of certain localities in Canada itself by railways. They believe, however, that such cases can be considered and relief obtained under the powers which they hereafter recommend should be granted.

They therefore recommend: "That it is inexpedient to adopt a rule of equal mileage rates, irrespective of distance and cost of service."

DISCRIMINATION.

Individuals.—Undoubtedly one of the most frequent causes of complaint against all railways, not only in Canada but also in Great Britain and the United States, is that of discrimination of an unjust or partial character between individuals under like conditions. It interferes most improperly with legitimate trade, and should certainly be prohibited by law. It can not be the desire of the principal railway officers or managers to permit such favoritism, but it is generally the act of local agents, especially such as are paid by commissions, and influenced either by personal favoritism or desire of gain. The practice should be peremptorily ended and such penalties imposed as will secure the attention of the railway managers to the strict observance of the law by their servants and employes.

The commission recommend: "That discrimination of an unjust or partial character between individuals under like conditions be effectively prohibited and any infraction of such law punished by severe penalties."

Localities.—Much complaint has also been made of discriminations in favor of one locality over another. These cases differ widely from the preceding, and are found generally to arise from the presence of competition, either by water or by rail. They seem to be inseparable from any railway system and each case requires special investigation. Where like conditions exist, such discriminations should be prohibited and under the pressure of being exposed to penalty the railway managers must exercise the power of determining the respective rates of transport.

The commission believe that these cases will generally be amicably arranged if the following recommendation be adopted, and the difficulty will be met which has been referred to under the head of Long and Short Haul—Uniform Mileage Rates: "That discrimination of an unjust or partial character between different localities under like conditions be effectively prohibited, and any infraction of such law punished by penalties, after due cognizance having been taken of the effect of water and rail competition."

SPECIAL RATES.

The objection to secret special rates, rebates, drawbacks, and all concessions to shippers of a discriminative character are fully set forth, not only in the testimony given in Canada, but also in the great body of evidence furnished from the United States. The practice is not only unfair to traders engaged in the same business, but has been shown to be opposed to the best interests of the railways themselves, and should certainly be prohibited under penalties for infraction of the law.

The commission do not, however, desire to object to such special rates or concessions where made to all parties alike, and their existence made public. It is in the interests of commerce, as shown in treating of discriminations, that railway managers should be permitted to grant special relaxation of their tariff rates in certain cases; but such concessions should be alike available to all.

It is believed the case will be met by the adoption of the following recommendations: "That all secret special rates, rebates, drawbacks, or concessions to shippers be declared illegal and made subject to penalties, and that every special rate be made public on demand of any inquirer."

FREE PASSES.

The practice of granting free passes is shown, by the evidence obtained from the United States, to be in many respects equivalent to "discrimination," and therefore objectionable. Its abolition is clearly in the interests of the railway companies, and it certainly can not be claimed that the public, under any circumstances, are entitled to free transportation.

Under the interstate-commerce law free passes have been abolished, and it is understood the change has given much satisfaction and been beneficial to the railways. It is true that the law in question reserves the right of railway companies to exchange "passes," which is clearly unobjectionable as simply as an exchange of service. In Canada, where the government as representing the public are the owners of one important railway, it seems proper that they should at all times be entitled to pass over and examine their railway, but the commission consider that the privilege of obtaining "passes" from other railways should be strictly confined to the actual officials of the Dominion railway.

They therefore recommend: "That the grant of free passes by railway companies be abolished, saving the reservations contained in the United States interstate commerce act, and excepting members of the Federal or Provincial Government on Federal or Provincial railways respectively."

UNIFORM RAILWAY REPORTS.

It is evidently desirable, in the public interest, that the several railway companies should render their reports to the Government in the same form and for the same periods.

It is recommended: "That the railway companies be enjoined to furnish their several reports to the Government as required by law, in a uniform shape and for the same periods."

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FORMATION OF TRIBUNAL.

In considering the important question of the character and composition of a tribunal to give effect to the various recommendations made in their report, the commission have felt themselves limited to the selection of one of two courses:

First. The creation of a commission, independent of Government control, with practically irresponsible authority.

Second. The maintenance of the railway committee of the privy council with such extension of its powers and requisite departmental machinery, to secure the proper execution of the law.

In considering the subject the commission have the advantage of knowing the scope and operation of independent railway commissions in Great Britain and the United States. But in the former case they are met by the difficulty that the present law requires important amendments which have not yet been considered, and which are known to excite much opposition and criticism. In the several States of the American Union very great diversity exists in the powers and character of these tribunals, for each of which methods peculiar advantages are claimed. It may be unhesitatingly stated that the commission are unable to accept any of these commissions as the model upon which the Canadian tribunal should be framed. Apart, moreover, from the intrinsic defects that are found in them all, it is evident that they are unsuited to the condition under which the commerce of Canada is carried on, through their scope being restricted within too limited an area, and unfitted to deal with the foreign through traffic upon which the prosperity of Canada is so largely dependent.

The interstate-commerce act and the commission established to give it effect are much more analogous to the circumstances of Canada, and the commission would have felt their labors greatly lightened if the operation of this law could be regarded as final and settled. It deals with questions precisely similar to our own, and its working has already proved of the greatest value in the present inquiry. But the interstate railway commission has, in its initiatory judgments, found it necessary to partially suspend the operation of the most important section (4th section) of the act, and has already indicated other important particulars in which it desires amendments to the law. It has, however, confessedly been already productive of great good to the public and also to the railways themselves, whose apprehensions of injury from it have been in a great measure dispelled.

With respect to the machinery through which the interstate-commerce act is expected to work, your commission have grave doubts whether it will be found applicable to the vast extent of territory over which it has jurisdiction. They are inclined to believe that in requiring the presence of even one commissioner at all *enquêtes*, it will be found impossible to meet the demands upon the commission, and the necessity of making all original applications to the central authority at Washington will, they fear, lead to serious delay, in the case of such individual complaints as it is proposed to refer to the Canadian tribunal, amounts practically to a denial of justice.

Whether these opinions be justified by experience is, however, immaterial, as the commission can not recommend the adoption of any system which is now on its trial and which, it is conceded, requires substantial amendment, none of the existing commissions having sufficiently extensive powers to deal effectively with the various matters which would come under their jurisdiction. It is undoubtedly the wiser policy to benefit by the experience of others rather than by our own.

The commission desire to provide by immediate legislation for admitted evils, with the least possible disturbance to existing methods, only accepting such conclusions as have been tested and proved to be beneficial. They wish to avoid the hasty creation of any system of which experience in the United States, England, and Canada may soon require serious modification. They think it better to test the working of the proposed law by temporary provision for its execution, and after full experience of the results of the interstate railway commission and of our own legislation to consider whether such system should be made permanent.

Other considerations also weigh with your commission in their conclusions. The political constitution of Canada recognizes direct ministerial responsibility to Parliament, much more than in the United States, and therefore, as a railway tribunal is necessarily tentative, it seems to them undesirable to remove its operation, in its inception, beyond the direct criticism and control of Parliament.

At the same time the commission admit that serious objection may be taken to the selection of the railway committee of privy council as the general railway tribunal. The members can not leave their duties at Ottawa, and must therefore delegate to subordinates much very important work, though the interstate commission is open to the same objection.

They hold their office by a political tenure and are liable to sudden change, whereby the value of their experience is lost. They can scarcely be regarded by the public as so absolutely removed from personal or political bias as independent members of a permanent tribunal. They can not possibly give their exclusive attention to their railway duties, and in taking upon themselves the duties which would necessarily devolve upon them they would in fact be performing judicial functions. These and other reasons occur against the selection of the railway committee of the privy council as the railway tribunal; but it is believed they are outweighed by the considerations of general and ultimate advantage, through proceeding with extreme caution in dealing with subjects affecting the entire commerce and progress of the country; while a material practical advantage is secured by the fact that any required changes in the law or in its application are secured through identifying the Government with its execution.

After the fullest discussion and most deliberate consideration the commission desires to report as their final recommendation—

"That the powers of the railway committee of the privy council be enlarged so far as to enable them to administer the proposed law, providing—

"First. That the committee shall itself hear and determine all disputes arising between railway companies, with power to appoint proper officers to take evidence locally.

"Second. That the committee shall itself decide all questions of classification of freight tariff and uniform railway returns.

"Third. That the committee shall have power to appoint officers in each province, to hear and determine all complaints against railway companies, subject to power of reference by such officer of any point to the committee, and also subject to the right of appeal to the committee itself."

(3)

ENGLISH LEGISLATION.

EXTRACT FROM THE RAILWAYS CLAUSES CONSOLIDATION ACT. (1845.)

SEC. 90. And whereas it is expedient that the company should be enabled to vary the tolls upon the railways so as to accommodate them to the circumstances of the traffic, but that such power of varying should not be used for the purpose of prejudicing or favoring particular parties, or for the purpose of collusively and unfairly creating a monopoly, either in the hands of the company or of particular parties; it shall be lawful, therefore, for the company, subject to the provisions and limitations herein and in the special act contained, from time to time to alter or vary the tolls by the special act authorized to be taken, either upon the whole or upon any particular portions of the railway, as they shall think fit; provided that all such tolls be at all times charged equally to all persons, and after the same rate, whether per ton, per mile, or otherwise, in respect of all passengers, and of all goods or carriages of the same description, and conveyed or propelled by a like carriage or engine, passing only over the same portion of the line of railway under the same circumstances; and no reduction or advance in any such tolls shall be made either directly or indirectly in favor of or against any particular company or person traveling upon or using the railway.

AN ACT FOR THE BETTER REGULATION OF THE TRAFFIC ON RAILWAYS AND CANALS.
(JULY 10, 1854.)

Whereas it is expedient to make better provision for regulating the traffic on railways and canals, be it enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords, spiritual and temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. In the construction of this act "the board of trade" shall mean the lords of the committee of Her Majesty's privy council for trade and foreign plantations; the word "traffic" shall include not only passengers and their luggage and goods, animals, and other things conveyed by any railway company or canal company, or railway and canal company, but also carriages, wagons, trucks, boats, and vehicles of every description adapted for running or passing on the railway or canal of any such company. The word "railway" shall include every station of or belonging to such railway used for the purposes of public traffic, and the word "canal" shall include any navigation whereon tolls are levied by authority of Parliament, and also the wharves and landing places of and belonging to such canal or navigation and used for the purposes of public traffic. The expression "railway company," "canal company," or "railway and canal company," shall include any person being the owner or lessee of or any contractor working any railway or canal, or navigation constructed or carried on under the powers of any act of Parliament. A station, terminus, or wharf shall be deemed to be near another station, terminus, or wharf when the distance between such stations, termini, or wharves shall not exceed 1 mile, such stations not being situate within 5 miles from St. Paul's Church in London.

2. Every railway company, canal company, and railway and canal company, shall, according to their respective powers, afford all reasonable facilities for the receiving and forwarding and delivering of traffic upon and from the several railways and canals belonging to or worked by such companies, respectively, and for the return of carriages, trucks, boats, and other vehicles; and no such company shall make or give any undue or unreasonable preference or advantage to or in favor of any particular person or company, or any particular description of traffic, in any respect whatsoever; nor shall any such company subject any particular person or company, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; and every railway company and canal company and railway and canal company having or working railways or canals which form a continuous line of railway or canal or railway and canal communication, or which have the terminus, station, or wharf of the one near the terminus, station, or wharf of the other, shall afford all due and reasonable facilities for receiving and forwarding all the traffic arriving by one of such railways or canals by the other, without any unreasonable delay, and without any such preference or advantage, or prejudice or disadvantage, as aforesaid, and so that no obstruction may be offered to the public desirous of using such railways or canals or railways and canals as a continuous

line of communication, and so that all reasonable accommodation may, by means of the railways and canals of the several companies, be at all times afforded to the public in that behalf.

3. It shall be lawful for any company or person complaining against any such companies or company of anything done, or of any omission made in violation or contravention of this act, to apply in a summary way, by motion or summons in England, to Her Majesty's court of common pleas at Westminster, or in Ireland to any of Her Majesty's superior court in Dublin, or in Scotland to the court of session in Scotland, as the case may be, or to any judge of any such court; and upon the certificate to Her Majesty's attorney-general in England or Ireland, or Her Majesty's lord advocate in Scotland, of the board of trade alleging any such violation or contravention of this act by any such companies or company, it shall also be lawful for the said attorney-general or lord advocate to apply in like manner to any such court or judge, and in either of such cases it shall be lawful for such court or judge to hear and determine the matter of such complaint; and for that purpose, if such court or judge shall think fit, to direct and prosecute, in such mode and by such engineers, barristers, or other persons as they shall think proper, all such inquiries as may be deemed necessary to enable such court or judge to form a just judgment on the matter of such complaint; and if it be made to appear to such court or judge on such hearing, or on the report of any such person, that anything has been done or omission made, in violation or contravention of this act, by such company or companies, it shall be lawful for such court or judge to issue a writ of injunction or interdict, restraining such company or companies from further continuing such violation or contravention of this act, and enjoining obedience to the same; and in case of disobedience of any such writ of injunction or interdict, it shall be lawful for such court or judge to order that a writ or writs of attachment, or any other process of such court incident or applicable to writs of injunction or interdict, shall issue against any one or more of the directors of any company, or against any owner, lessee, contractor, or other person failing to obey such writ of injunction or interdict; and such court or judge may also, if they or he may think fit, make an order directing the payment by any one or more of such companies of such sum of money as such court or judge shall determine not exceeding for each company the sum of two hundred pounds for every day, after a day to be named in the order, that such company or companies shall fail to obey such injunction or interdict; and such moneys shall be payable as the court or judge may direct, either to the party complaining, or into court to abide the ultimate decision of the court, or to Her Majesty, and payment thereof may, without prejudice to any other mode of recovering the same, be enforced by attachment or order in the nature of a writ of execution, in like manner as if the same had been recovered by decree or judgment in any superior court at Westminster or Dublin, in England or Ireland, and in Scotland by such diligence as is competent on an extracted decree of the court of session; and in any such proceeding as aforesaid, such court or judge may order and determine that all or any costs thereof or thereon incurred shall and may be paid by or to the one party or the other, as such court or judge shall think fit; and it shall be lawful for any such engineer, barrister, or other person, if directed so to do by such court or judge, to receive evidence on oath relating to the matter of any such inquiry, and to administer such oath.

4. It shall be lawful for the said court of common pleas at Westminster, or any three of the judges thereof, of whom the chief-justice shall be one, and it shall be lawful for the said courts in Dublin, or any nine of the judges thereof, of whom the lord chancellor, the master of the rolls, the lords chief-justice of the queen's bench and common pleas, and the lord baron of the exchequer shall be five, from time to time to make all such general rules and order as to the forms of proceedings and process, and all other matters and things touching the practice and otherwise in carrying this act into execution before such courts and judges as they may think fit in England or in Ireland, and in Scotland it shall be lawful for the court of session to make such acts of sederunt for the like purpose as they shall think fit.

5. Upon the application of any party aggrieved by the order made upon any such motion or summons as aforesaid, it shall be lawful for the court or judge by whom such order was made to direct, if they think fit so to do, such motion or application on summons to be reheard before such court or judge, and upon such rehearing to rescind or vary such order.

(The above sections 4 and 5 were repealed August 10, 1888.)

6. No proceeding shall be taken for any violation or contravention of the above enactments, except in the manner provided; but nothing herein contained shall take away or diminish any rights, remedies, or privileges of any person or company against any railway or canal or railway and canal company under the existing law.

7. Every such company as aforesaid shall be liable for the loss of or any injury to any horses, cattle, or animals, or to any articles, goods, or things, in the receiving, forwarding, or delivering thereof, occasioned by the neglect or default of such company or its servants, notwithstanding any notice, condition, or declaration made and given

by such company contrary thereto or in anywise limiting such liability; every notice, condition, or declaration being hereby declared to be null and void: *Provided always*, That nothing herein contained shall be construed to prevent the said companies from making such conditions with respect to the receiving, forwarding, and delivering of any of the said animals, articles, goods or things, as shall be adjudged by the court or judge before whom any question relating thereto shall be tried to be just and reasonable: *Provided always*, That no greater damages shall be recovered for the loss of or for any injury done to any of such animals beyond the sums hereinafter mentioned; that is to say, for any horse, £50; for any neat cattle, per head, £15; for any sheep or pig, per head, £2, unless the person sending or delivering the same to such company shall at the time of such delivery have declared them to be respectively of higher value than as above mentioned; in which case it shall be lawful for such company to demand and receive, by way of compensation for the increased risk and care thereby occasioned, a reasonable percentage upon the excess of the value so declared above the respective sums so limited as aforesaid, and which shall be paid in addition to the ordinary rate of charge; and such percentage or increased rate of charge shall be notified in the manner prescribed in the statute eleventh, George Fourth, and first William IV, chapter 68, and shall be binding upon such company in the manner therein mentioned: *Provided also*, That the proof of the value of such animals, articles, goods, and things, and the amount of injury done thereto, shall in all cases lie upon the person claiming compensation for such loss or injury: *Provided also*, That no special contract between such company and any other parties respecting the receiving, forwarding, or delivering of any animals, articles, goods, or things as aforesaid shall be binding upon or affect any such party unless the same be signed by him or by the person delivering such animals, articles, goods, or things respectively for carriage: *Provided also*, That nothing herein contained shall alter or affect the rights, privileges, or liabilities of any such company under the said act of the eleventh George Fourth and first William Fourth, chapter 68, with respect to articles of the description mentioned in the said act.

8. This act may be cited for all purposes as "The railway and canal traffic act, 1854."

EXTRACT FROM THE REGULATION OF RAILWAYS ACT (1868).

SEC. 16. Where a company is authorized to build or buy or hire, and to use, maintain, and work, or to enter into arrangements for using, maintaining, or working steam-vessels for the purpose of carrying on a communication between any towns or ports, then and in every such case tolls shall be at all times charged to all persons equally and after the same rate in respect of passengers conveyed in a like vessel passing between the same places under like circumstances; and no reduction or advance in the tolls shall be made in favor of or against any person using the steam-vessels in consequence of his having traveled or being about to travel on the whole or any part of the company's railway, or not having traveled or not being about to travel on any part thereof, or in favor of or against any person using the railway in consequence of his having used or being about to use, or his not having used or not being about to use the steam-vessels; and where an aggregate sum is charged by the company for conveyance of a passenger by a steam-vessel and on the railway, the ticket shall have the amount of toll charged for conveyance by the steam-vessel distinguished from the amount charged for conveyance on the railway.

EXTRACTS FROM THE REGULATION OF RAILWAYS ACT, 1871.

Railway statistics.

9. Every company shall annually prepare returns of their capital, traffic, and working expenditure for the last preceding financial year of the company in accordance with the forms contained in schedule one to this act, and a copy of each return, signed by the chairman or deputy chairman of the directors of the company, and by the officer of the company responsible for the correctness of each return, or any part thereof, shall be forwarded by the company to the board of trade at the times following (that is to say):

If the company is an incorporated company, within fourteen days after the first ordinary half-yearly meeting of the company held in each year.

If the company is not an incorporated company, or fails to hold half-yearly meetings, not later than the thirty-first day of March in each year.

Any company which fails to forward the said return in accordance with the provisions of this section shall be liable to a penalty not exceeding five pounds for every day during which such default continues.

The board of trade, with the consent of a company, may alter the said forms as regards such company for the purpose of adapting them to the circumstances of such company or of better carrying into effect the objects of this section.

10. If any return which is required by this act is false in any particular to the knowledge of any person who signs the same, such person shall be liable on conviction thereof on indictment to fine and imprisonment, or on summary conviction thereof to a penalty not exceeding fifty pounds.

THE REGULATION OF RAILWAYS ACT, 1873.

(Sections 1, 2, and 3 relate to preliminary matters only.)

Appointment and duties of railway commissioners.

4. For the purpose of carrying into effect the provisions of the railway and canal traffic act, 1854, and of this act, it shall be lawful for Her Majesty, at any time after the passing of this act, by warrant under the royal sign manual, to appoint not more than three commissioners, of whom one shall be of experience in the law and one of experience in railway business, and not more than two assistant commissioners; and upon the occurrence of any vacancy in the office of any such commissioner or assistant commissioner from time to time in like manner to appoint some fit person to fill the vacancy. It shall be lawful for the lord chancellor, if he think fit, to remove for inability or misbehavior any commissioner appointed in pursuance of this act.

The three commissioners appointed under this act (and in this act referred to as the commissioners) shall be styled The Railway Commissioners, and shall have an official seal, which shall be judicially noticed. They may act notwithstanding any vacancy in their number. The said assistant commissioners shall hold offices during the pleasure of Her Majesty.

(The foregoing section is repealed by the act of August 10, 1888, printed below, which changes the constitution of the commission.)

5. Any person appointed a commissioner under this act shall, within three calendar months after his appointment, absolutely sell and dispose of any stock, share, debenture stock, debenture bond, or other security of any railway or canal company in the United Kingdom which he shall at the time of his appointment own or be interested in for his own benefit; and it shall not be lawful for any person appointed a commissioner under this act, so long as he shall hold office as such commissioner, to purchase, take, or become interested in for his own benefit, any such stock, share, debenture stock, debenture bond, or other security; and if any such stock, share, debenture stock, debenture bond, or other security, or any interest therein, shall come to or vest in such commissioner by will or succession, for his own benefit, he shall, within three calendar months after the same shall so come to or vest in him, absolutely sell and dispose of the same or his interest therein.

It shall not be lawful for the commissioners, except by consent of the parties to the proceedings, to exercise any jurisdiction by this act conferred upon them in any case in which they shall be directly or indirectly interested in the matter in question. The commissioners shall devote the whole of their time to the performance of their duties under this act, and shall not accept or hold any office or employment inconsistent with this provision.

6. Any person complaining of anything done, or of any omission made, in violation or contravention of section 2 of the railway and canal traffic act, 1854, or of section 16 of the regulation of railways act, 1868, or of this act, or of any enactment amending or applying the said enactments respectively, may apply to the commissioners, and upon the certificate of the board of trade alleging any such violation or contravention, any person appointed by the board of trade in that behalf may in like manner apply to the commissioners; and for the purpose of enabling the commissioners to hear and determine the matter of any such complaint they shall have and may exercise all the jurisdiction conferred by section 3 of the railway and canal traffic act, 1854, on the several courts and judges empowered to hear and determine complaints under that act, and may make orders of like nature with the writs and orders authorized to be issued and made by the said courts and judges; and the said courts and judges shall, except for the purpose of enforcing any decision or order of the commissioners, cease to exercise the jurisdiction conferred on them by that section.

7. Where the commissioners have received any complaint alleging the infringement by a railway or canal company of the provisions of any enactment in respect of which the commissioners have jurisdiction, they may, if they think fit, before requiring or permitting any formal proceedings to be taken on such complaint, communicate the same to the company against whom it is made, so as to afford them an opportunity of making such observations thereon as they may think fit.

8. Where any difference between railway companies, or between canal companies, or between a railway and a canal company, is, under the provisions of any general or special act, passed either before or after the passing of this act, required or authorized to be referred to arbitration, such difference shall, at the instance of any company

party to the difference and with the consent of the commissioners, be referred to the commissioners for their decision in lieu of being referred to arbitration: *Provided*, That the power of compelling a reference to the commissioners in this section contained shall not apply to any case in which any arbitrator has in any general or special act been designated by his name or by the name of his office, or in which, a standing arbitrator having been appointed under any general or special act, the commissioners are of opinion that the difference in question may more conveniently be referred to him.

9. Any difference to which a railway company or canal company is a party may, on application of the parties to the difference, and with the assent of the commissioners, be referred to them for their decision.

10. The following powers and duties of the board of trade shall be transferred to the commissioners, namely:

(1) The powers of the board of trade under Part III of the railway clauses act, 1863, or under any special act, with respect to the approval of working agreements between railway companies; and

(2) The powers and duties of the board of trade under section 35 of the railway clauses act, 1863, with respect to the exercise by railway companies of their powers in relation to steam vessels.

And the provisions of the said acts conferring such powers or imposing such duties, or otherwise referring to such powers or duties, shall, so far as is consistent with the tenor thereof, be read as if the commissioners were therein named instead of the board of trade.

(Sections 11, 12, and 13, in explanation and amendment of section 2 of the railway and canal traffic act of 1854, being superseded by provisions in the act of 1888, are here omitted.)

14. Every railway company and canal company shall keep at each of their stations and wharves a book or books showing every rate for the time being charged for the carriage of traffic, other than passengers and their luggage, from that station or wharf to any place to which they book, including any rates charged under any special contract, and stating the distance from that station or wharf of every station, wharf, siding, or place to which any such rate is charged.

Every such book shall, during all reasonable hours, be open to the inspection of any person without the payment of any fee.

The commissioners may from time to time, on the application of any person interested, make orders with respect to any particular description of traffic requiring a railway company or canal company to distinguish in such book how much of each rate is for the conveyance or the traffic on the railway or canal, including therein tolls for the use of the railway or canal, for the use of carriages or vessels, or for locomotive power, and how much is for other expenses, specifying the nature and detail of such other expenses.

Any company failing to comply with the provisions of this section shall, for each offense, and in the case of a continuing offense, for every day during which the offense continues, be liable to a penalty not exceeding five pounds, and such penalty shall be recovered and applied in the same manner as penalties imposed by the railways clauses consolidation act, 1845, and the railways clauses consolidation (Scotland) act, 1845 (as the case may require), are for the time being recoverable and applicable.

15. The commissioners shall have power to hear and determine any question or dispute which may arise with respect to the terminal charges of any railway company, where such charges have not been fixed by any act of Parliament, and to decide what is a reasonable sum to be paid to any company for loading and unloading, covering collection, delivery, and other services of a like nature. Any decision of the commissioners under this section shall be binding on all courts and in all legal proceedings whatsoever.

(Sections 16 and 17 relate to canals.)

(Sections 18, 19, and 20 relate to conveyance of mails.)

(Sections 21, 22, 23, 24, and 25 are repealed by the act of 1888.)

26. Any decision or any order made by the commissioners for the purpose of carrying into effect any of the provisions of this act may be made a rule or order of any superior court, and shall be enforced either in the manner directed by section 3 of the railway and canal traffic act, 1854, as to the writs and orders therein mentioned, or in any like manner as any rule or order of such court.

For the purpose of carrying into effect this section, general rules and orders may be made by any superior court in the same manner as general rules and orders may be made with respect to any other proceedings in such court.

(The remainder of this section is repealed by the act of 1888.)

27. The commissioners shall sit at such times and in such places and conduct their proceedings in such manner as may seem to them most convenient for the speedy dispatch of business; they may, subject as in this act mentioned, sit either together or separately, and either in private or in open court, but any complaint made to them

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shall, on application of any party to the complaint, be heard and determined in open court.

(Sections 28 and 29 are also repealed.)

30. Every document purporting to be signed by the commissioners, or any one of them, shall be received in evidence without proof of such signature, and until the contrary is proven shall be deemed to have been so signed and to have been duly executed or issued by the commissioners.

31. The commissioners shall, once in every year, make a report to Her Majesty of their proceedings under this act during the past year, and such report shall be laid before both houses of Parliament within fourteen days after the making thereof if Parliament is then sitting, and if not, then within fourteen days after the next meeting of Parliament.

(The remainder of the act relates to fees, notices, etc.)

THE ENGLISH ACT OF AUGUST 10, 1888 (51 AND 52 VICTORIA, CHAPTER 25).

AN ACT for the better regulation of railway and canal traffic, and for other purposes.

Be it enacted by the Queen's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in this present Parliament assembled, and by the authority of the same, as follows:

1. This act may be cited as the railway and canal traffic act, 1888.

This act shall be construed as one with the regulation of railways act, 1873, and the acts amending it; and those acts and this act may be cited together as the railway and canal traffic acts, 1873 and 1888.

PART I.—COURT AND PROCEDURE OF RAILWAY AND CANAL COMMISSIONERS.

Establishment of railway and canal commission.

2. On the expiration of the provisions of the regulation of railways act, 1873, with respect to the commissioners therein mentioned, there shall be established a new commission, styled the railway and canal commission (in this act referred to as the commissioners), and consisting of two appointed and three *ex-officio* commissioners; and such commission shall be a court of record, and have an official seal, which shall be judicially noticed. The commissioners may act notwithstanding any vacancy in their body.

3. (1) The two appointed commissioners may be appointed by Her Majesty at any time after the passing of this act and from time to time as vacancies occur.

(2) They shall be appointed on the recommendation of the president of the board of trade, and one of them shall be of experience in railway business.

(3) Section 5 of the regulation of railways act, 1873, shall apply to each appointed commissioner.

(4) There shall be paid to each appointed commissioner such salary, not exceeding £3,000 a year, as the president of the board of trade may, with the concurrence of the treasury, determine.

(5) It shall be lawful for the lord chancellor, if he think fit, to remove for inability or misbehavior any appointed commissioner.

4. (1) Of the three *ex-officio* commissioners of the railway and canal commission one shall be nominated for England, one for Scotland, and one for Ireland; and an *ex-officio* commissioner shall not be required to attend out of the part of the United Kingdom for which he is nominated.

(2) The *ex-officio* commissioner in each case shall be such judge of a superior court as (a) in England the lord chancellor, and (b) in Scotland the lord president of the court of sessions, and (c) in Ireland the lord chancellor of Ireland may from time to time, by writing under his hand, assign, and such assignment shall be made for a period of not less than five years.

(3) For the purpose of the attendance of the *ex-officio* commissioners regulations shall be made from time to time by the lord chancellor, the lord president of the court of session, and the lord chancellor of Ireland respectively, in communication with the *ex-officio* commissioners for England, Scotland, or Ireland, as the case may be, as to the arrangements for securing their attendance, as to the times and place of sitting in each case, and otherwise for the convenient and speedy hearing thereof.

5. (1) Subject to the provisions of this act, and to general rules under this act, the commissioners may hold sittings in any part of the United Kingdom, in such place or places as may be most convenient for the determination of proceedings before them.

(2) The central office of the commissioners shall be in London, and the commissioners, when holding a public sitting in London, shall hold the same at the royal courts of justice, or at such other place as the lord chancellor may from time to time appoint.

(3) Not less than three commissioners shall attend at the hearing of any case, and the *ex-officio* commissioner shall preside, and his opinion upon any question which in the opinion of the commissioners is a question of law shall prevail.

(4) Save as aforesaid, section 27 of the regulation of railways act, 1873, shall apply, and any act may be done by any two commissioners.

(5) Every judge who may with his consent be assigned to hold the office of *ex-officio* commissioner shall attend to hear any cases before the commission, which as *ex-officio* commissioner he is required to hear, when and as soon as the cases are ready to be heard, or as soon thereafter as reasonably may be; and any such judge shall be required to perform any of the other duties of a judge of a superior court only when his attendance on the commission is not required.

(6) If and when any judge who may be assigned to hold the office of *ex-officio* commissioner is temporarily unable to attend, the lord chancellor in England, the lord president of the court of session in Scotland, and the lord chancellor in Ireland, may respectively nominate any judge of a superior court to sit as *ex-officio* commissioner in place of the judge who is so temporarily unable to attend as aforesaid, and the judge so nominated shall, for the purpose of any case which he may hear, be an *ex-officio* commissioner.

(7) If the president of the board of trade is satisfied either of the inability of an appointed commissioner to attend at the hearing of any case or of there being a vacancy in the office, and in either case of the necessity of a speedy hearing of the case, he may appoint a temporary commissioner to hear such case, and such commissioner, for all purposes connected with such case, shall, until the final determination thereof, have the same jurisdiction and powers as if he were an appointed commissioner. A temporary commissioner shall be paid such sum by the commissioner so unable to sit, or if the office is vacant out of the salary of the office, as the president of the board of trade may assign.

6. On an address from both houses of Parliament representing that, regard being had to the duties imposed by this act on the *ex-officio* commissioners, the state of business of the high court in England requires the appointment of an additional judge of that court, it shall be lawful for Her Majesty to appoint an additional judge of such court, and from time to time, on a like address but not otherwise, to fill any vacancy in such judgeship, and the law relating to the appointment and qualification of the judges of such superior court, to their duties and tenure of office, to their precedence, salary, and pension, and otherwise, shall apply to any judge so appointed under this section, and a judge so appointed under this section shall be attached to such division or branch of the court as Her Majesty may direct, subject to such power of transfer as may exist in the case of any other judge of such division or branch.

7. (1) Any of the following authorities, that is to say, (a) any of the following local authorities, namely, any harbor board, or conservancy authority, the common council of the city of London, any council of a city or borough, any representative county body which may be created by an act passed in the present or any future session of Parliament, any justices in quarter sessions assembled, the commissioners of supply of any county in Scotland, the metropolitan board of works, or any urban sanitary authority not being a council as aforesaid, or any rural sanitary authority; or (b) any such association of traders or freighters, or chamber of commerce or agriculture as may obtain a certificate from the board of trade that it is, in the opinion of the board of trade, a proper body to make such complaint, may make to the commissioners any complaint which the commissioners have jurisdiction to determine, and may do so without proof that such authority is aggrieved by the matter complained of, and any of such authorities may appear in opposition to any complaint which the commissioners have jurisdiction to determine in any case where such authority, or the persons represented by them, appear to the commissioners to be likely to be affected by any determination of the commissioners upon such complaint.

(2) The board of trade may, if they think fit, require, as a condition of giving a certificate under this section, that security be given in such manner and to such amount as they think necessary, for any costs which the complainants may be ordered to pay or bear.

(3) Any certificate granted under this section shall, unless withdrawn, be in force for twelve months from the date on which it was given.

Jurisdiction.

8. There shall be transferred to and vested in the commissioners all the jurisdiction and powers which at the commencement of this act were vested in, or capable of being exercised by, the railway commissioners, whether under the regulation of railways act, 1873, or any other act, or otherwise, and any reference to the railway commissioners in the regulation of railways act, 1873, or in any other act, or in any document, shall, from and after the commencement of this act, be construed to refer to the railway and canal commission established by this act.

9. Where any enactment in a special act (a) contains provisions relating to traffic facilities, undue preference, or other matters mentioned in section two of the railway and canal traffic act, 1854, or (b) requires a company to which this part of this act applies to provide any station, road, or other similar work for public accommodation, or (c) otherwise imposes on a company to which this part of this act applies any obligation in favor of the public or any individual, or where any act contains provisions relating to private branch railways or private sidings, the commissioners shall have the like jurisdiction to hear and determine a complaint of a contravention of the enactment as the commissioners have to hear and determine a complaint of a contravention of section two of the railway and canal traffic act, 1854, as amended by subsequent acts.

10. Where any question or dispute arises, involving the legality of any toll, rate, or charge, or portion of a toll, rate, or charge, charged or sought to be charged for merchandise traffic by a company to which this part of this act applies, the commissioners shall have jurisdiction to hear and determine the same, and to enforce payment of such toll, rate, or charge, or so much thereof as the commissioners decide to be legal.

11. Nothing in any agreement, whether made before or after the passing of this act, which has not been confirmed by act or by the board of trade, or by the commissioners under the regulation of railways act, 1873, or this act, shall render a company to which this part of this act applies unable to afford, or shall authorize such company to refuse, such reasonable facilities for traffic as may in the opinion of the commissioners be required in the interest of the public, or shall prevent the commissioners from making or enforcing any order with respect to such facilities.

12. Where the commissioners have jurisdiction to hear and determine any matter, they may, in addition to or in substitution for any other relief, award to any complaining party who is aggrieved such damages as they find him to have sustained; and such award of damages shall be in complete satisfaction of any claim for damages, including repayment of overcharges, which, but for this act, such party would have had by reason of the matter of complaint.

Provided that such damages shall not be awarded unless complaint has been made to the commissioners within one year from the discovery by the party aggrieved of the matter complained of.

The commissioners may ascertain the amount of such damages either by trial before themselves, or by directing an inquiry to be taken before one or more of themselves or before some officer of their court.

13. In cases of complaint of undue preference no damages shall be awarded if the commissioners shall find that the rates complained of have, for the period during which such rates have been in operation, been duly published in the rate books of the railway company kept at their stations in accordance with section 14 of the regulation of railways act, 1873, as amended by this act, unless and until the party complaining shall have given written notice to the railway company requiring them to abstain from or remedy the matter of complaint, and the railway company shall have failed, within a reasonable time, to comply with such requirements in such a manner as the commissioners shall think reasonable.

14. The commissioners may order two or more companies to which this part of this act applies to carry into effect an order of the commissioners, and to make mutual arrangements for that purpose, and may further order the companies, or in case of difference, any of them, to submit to the commissioners for approval a scheme for carrying into effect the order, and when the commissioners have finally approved the scheme, they may order each of the companies to do all that is necessary on the part and within the power of such company to carry into effect the scheme, and may determine the proportions in which the respective companies are to defray the expense of so doing, and may for the above purposes make, if they think fit, separate orders on any one or more of such companies.

Provided, That nothing in this section shall authorize the commissioners to require two companies to do anything which they would not have jurisdiction to require to be done if such two companies were a single company.

15. For the purposes of section 8 of the regulation of railways act, 1873, and any other enactment relating to the reference to the railway commission of any difference between companies which under the provisions of any general or special act is required or authorized to be referred to arbitration, the provisions of any agreement confirmed or authorized by any such act shall be deemed to be provisions of such act.

16. (1) Where the board of trade or the commissioners, in the exercise of any power given by any general or special act, on application, order a company, to which this part of this act applies, to provide a bridge, subway, or approach, or any work of a similar character, the board of trade or the commissioners, as the case may be, may require as a condition of making the order that an agreement to pay the whole or a portion of the expenses of complying with the order shall be entered into by the applicants or some of them, or such other persons as the board of trade or commission-

ers think fit, and any of the following local authorities, namely, any sanitary authority, highway board, surveyor of highways acting with the consent of the vestry of his parish, or any other authority having power to levy rates, shall have power, if such authority think fit, to enter into any such agreement as is sanctioned by the board of trade or commissioners for the purpose of the order.

(2) In such case any question respecting the persons by whom or the proportions in which the expenses of complying with the order are to be defrayed may, on the application of any party to the application, or on a certificate of the board of trade, be determined by the commissioners.

(3) In this section the expression "parish" shall have the same meaning as the same expression has in the acts relating to highways; and the expression "the consent of the vestry of his parish" shall, in any place where there is no vestry meeting, mean the consent of a meeting of inhabitants contributing to the highway rates, provided that the same notice shall have been given of such a meeting as would be required by law for the assembling of a meeting in vestry.

Appeals.

17.—(1) No appeal shall lie from the commissioners upon a question of fact, or upon any question regarding the *locus standi* of a complainant.

(2) Save as otherwise provided by this act, an appeal shall lie from the commissioners to a superior court of appeal.

(3) An appeal shall not be brought except in conformity with such rules of court as may from time to time be made in relation to such appeals by the authority having power to make rules of court for the superior court of appeal.

(4) On the hearing of an appeal the court of appeal may draw all such inferences as are not inconsistent with the facts expressly found, and are necessary for determining the question of law, and shall have all such powers for that purpose as if the appeal were an appeal from a judgment of a superior court, and may make any order which the commissioners could have made, and also any such further or other order as may be just, and the costs of and incidental to an appeal shall be in the discretion of the court of appeal, but no commissioner shall be liable to any costs by reason or in respect of any appeal.

(5) The decision of the superior court of appeal shall be final: *Provided*, That where there has been a difference of opinion between any two of such superior courts of appeal, any superior court of appeal in which a matter affected by such difference of opinion is pending may give leave to appeal to the House of Lords on such terms as to costs as such court shall determine.

(6) Save as provided by this act, an order or proceeding of the commissioners shall not be questioned or reviewed, and shall not be restrained or removed by prohibition, injunction, certiorari, or otherwise, either at the instance of the Crown or otherwise.

Supplemental.

18.—(1) For the purposes of this act the commissioners shall have full jurisdiction to hear and determine all matters whether of law or of fact, and shall as respects the attendance and examination of witnesses, the production and inspection of documents, the enforcement of their orders, the entry on and inspection of property, and other matters necessary or proper for the due exercise of their jurisdiction under this act, or otherwise for carrying this act into effect, have all such powers, rights, and privileges as are vested in a superior court: *Provided*, That no person shall be punished for contempt of court, except with the consent of an *ex-officio* commissioner.

(2) The commissioners may review and rescind or vary any order made by them; but, save as is by this act provided, every decision or order of the commissioners shall be final.

19.—The costs of and incidental to every proceeding before the commissioners shall be in the discretion of the commissioners, who may order by whom and to whom the same are to be paid, and by whom the same are to be taxed and allowed.

20.—(1) The commissioners may from time to time, with the approval of the lord chancellor and the president of the board of trade, make, rescind, and vary general rules for their procedure and practice under this act, and generally for carrying into effect this part of this act.

(2) All rules made under this section shall be laid before Parliament within three weeks after they are made, if Parliament is then sitting, and if Parliament is not then sitting within three weeks after the beginning of the then next session of Parliament, and shall be judicially noticed, and shall have effect as if they were enacted by this act.

21.—(1) There shall be attached to the railway and canal commission such officers, clerks, and messengers as the lord chancellor, with the consent of the treasury as to number, from to time appoints.

(2) There shall be paid to each of such officers, clerks, and messengers, such salaries as the treasury from time to time determine.

22. The salaries of the appointed commissioners, and of all officers, clerks, and messengers attached to the railway and canal commission, and all the expenses of the said commission of and incidental to the carrying out of this act, shall be paid out of moneys to be provided by Parliament.

23. This part of this act shall apply to any railway company, and to any canal company, and to any railway and canal company.

PART II.—TRAFFIC.

24.—(1) Notwithstanding any provision in any general or special act, every railway company shall submit to the board of trade a revised classification of merchandise traffic, and a revised schedule of maximum rates and charges applicable thereto, proposed to be charged by such railway company, and shall fully state in such classification and schedule the nature and amounts of all terminal charges proposed to be authorized in respect of each class of traffic, and the circumstances under which such terminal charges are proposed to be made. In the determination of the terminal charges of any railway company regard shall be had only to the expenditure reasonably necessary to provide the accommodation in respect of which such charges are made, irrespective of the outlay which may have been actually incurred by the railway company in providing that accommodation.

(2) The classification and schedule shall be submitted within six months from the passing of this act, or such further time as the board of trade may, in any particular case, permit, and shall be published in such manner as the board of trade may direct.

(3) The board of trade shall consider the classification and schedule, and any objections thereto, which may be lodged with them on or before the prescribed time and in the prescribed manner, and shall communicate with the railway company and the persons (if any) who have lodged objections, for the purpose of arranging the differences which may have arisen.

(4) If, after hearing all parties whom the board of trade consider to be entitled to be heard before them respecting the classification and schedule, the board of trade come to an agreement with the railway company as to the classification and schedule, they shall embody the agreed classification and schedule in a provisional order, and shall make a report thereon, to be submitted to Parliament, containing such observations as they think fit in relation to the agreed classification and schedule.

(5) When any agreed classification and schedule have been embodied in a provisional order, the board of trade, as soon as they conveniently can after the making of the provisional order (of which the railway company shall be deemed to be the promoters), shall procure a bill to be introduced into either house of Parliament for an act to confirm the provisional order, which shall be set out at length in the schedule to the bill.

(6) In any case in which a railway company fails within the time mentioned in this section to submit a classification and schedule to the board of trade, and also in every case in which a railway company has submitted to the board of trade a classification and schedule, and after hearing all parties whom the board of trade consider to be entitled to be heard before them, the board of trade are unable to come to an agreement with the railway company as to the railway company's classification and schedule, the board of trade shall determine the classification of traffic which, in the opinion of the board of trade, ought to be adopted by the railway company, and the schedule of maximum rates and charges, including all terminal charges proposed to be authorized applicable to such classification which would, in the opinion of the board of trade, be just and reasonable, and shall make a report, to be submitted to Parliament, containing such observations as they may think fit in relation to the said classification and schedule, and calling attention to the points therein on which differences which have arisen have not been arranged.

(7) After the commencement of the session of Parliament next after that in which the said report of the board of trade has been submitted to Parliament, the railway company may apply to the board of trade to submit to Parliament the question of the classification and schedule which ought to be adopted by the railway company, and the board of trade shall on such application, and in any case may, embody in a provisional order such classification and schedule as in the opinion of the board of trade ought to be adopted by the railway company, and procure a bill to be introduced into either house of Parliament for an Act to confirm the provisional order, which shall be set out at length in the schedule to the bill.

(8) If, while any bill to confirm a provisional order made by the board of trade under this section is pending in either house of Parliament, a petition is presented against the bill or any classification and schedule comprised therein, the bill, so far as it relates to the matter petitioned against, shall be referred to a select committee, or if the two houses of Parliament think fit so to order, to a joint committee of such

houses, and the petitioner shall be allowed to appear and oppose as in the case of a private bill.

(9) In preparing, revising, and settling the classifications and schedules of rates and charges the board of trade may consult and employ such skilled persons as they may deem necessary or desirable; and they may pay to such persons such remuneration as they may think fit and as the treasury may approve.

(10) The act of Parliament confirming any provisional order made under this section shall be a public general act, and the rates and charges mentioned in a provisional order as confirmed by such act shall, from and after the act coming into operation, be the rates and charges which the railway company shall be entitled to charge and make.

(11) At any time after the confirmation of any provisional order under this section any railway company may, and any person, upon giving not less than twenty-one days' notice to the railway company may, apply in the prescribed manner to the board of trade to amend any classification and schedule by adding thereto any articles, matters, or things, and the board of trade may hear and determine such application and classify and deal with the articles, matters, or things referred to therein in such manner as the board of trade shall think right. Every determination of the board of trade under this subsection shall forthwith be published in the London Gazette, and shall take effect as from the date of the publication thereof.

(12) Nothing in this section shall apply to any remuneration payable by the postmaster-general to any railway company for the conveyance of mails, letter-bags, or parcels under any general or special act relating to the conveyance of mails, or under the post-office (parcels) act, 1882.

(13) Nothing in this section shall apply to any remuneration payable by the secretary of state for war to any railway company for the conveyance of war office stores under the powers conferred by the cheap trains act, 1883.

25. Whereas by section 2 of the railway and canal traffic act, 1854, it is enacted that every railway company and canal company, and railway and canal company shall, according to their respective powers, afford all reasonable facilities for the receiving and forwarding and delivering of traffic upon and from the several railways and canals belonging to or worked by such companies respectively, and for the return of carriages, trucks, boats, and other vehicles; and that no such company shall make or give any undue or unreasonable preference or advantage to or in favor of any particular person or company, or any particular description of traffic, in any respect whatsoever, or shall subject any particular person or company, or any particular description of traffic, to any undue or unreasonable prejudice or disadvantage in any respect whatsoever; and that every railway company and canal company and railway and canal company having or working railways or canals which form part of a continuous line of railway, or canal or railway and canal communication, or which have the terminus station or wharf of the one near the terminus station or wharf of the other, shall afford all due and reasonable facilities for receiving and forwarding by one of such railways or canals all the traffic arriving by the other, without any unreasonable delay, and without any such preference or advantage or prejudice or disadvantage as aforesaid, and so that no obstruction may be offered to the public desirous of using such railways or canals or railways and canals as a continuous line of communication, and so that all reasonable accommodation may by means of the railways and canals of the several companies be at all times afforded to the public in that behalf.

And whereas it is expedient to explain and amend the said enactment:

Be it therefore enacted, That subject as hereinafter mentioned, the said facilities to be so afforded are hereby declared to and shall include the due and reasonable receiving, forwarding, and delivering by every railway company and canal company and railway and canal company, at the request of any other such company, of through traffic to and from the railway or canal of any other such company at through rates, tolls, or fares (in this act referred to as through rates); and also the due and reasonable receiving, forwarding, and delivering by every railway company and canal company and railway and canal company, at the request of any person interested in through traffic, of such traffic at through rates: *Provided*, That no application shall be made to the commissioners by such person until he has made a complaint to the board of trade under the provisions of this act as to complaints to the board of trade of unreasonable charges, and the board of trade have heard the complaint in the manner herein provided.

Provided as follows:

(1) The company or person requiring the traffic to be forwarded shall give written notice of the proposed through rate to each forwarding company, stating both its amount and the route by which the traffic is proposed to be forwarded; and when a company gives such notice it shall also state the apportionment of the through rate. The proposed through rate may be per truck or per ton.

(2) Each forwarding company shall, within ten days, or such longer period as the commissioners may from time to time by general order prescribe, after the receipt of such notice, by written notice inform the company or persons requiring the traffic to be forwarded, whether they agree to the rate and route; and if they object to either, the grounds of the objection.

(3) If at the expiration of the prescribed period no such objection has been sent by any forwarding company, the rate shall come into operation at such expiration.

(4) If an objection to the rate or route has been sent within the prescribed period, the matter shall be referred to the commissioners for their decision.

(5) If an objection be made to the granting of the rate or to the route, the commissioners shall consider whether the granting of a rate is a due and reasonable facility in the interest of the public, and whether, having regard to the circumstances, the route proposed is a reasonable route, and shall allow or refuse the rate accordingly, or fix such other rate as may seem to the commissioners just and reasonable.

(6) Where, upon the application of a person requiring traffic to be forwarded, a through rate is agreed to by the forwarding companies, or is made by order of the commissioners, the apportionment of such through rate, if not agreed upon between the forwarding companies, shall be determined by the commissioners.

(7) If the objection be only to the apportionment of the rate, the rate shall come into operation at the expiration of the prescribed period, but the decision of the commissioners, as to its apportionment, shall be retrospective; in any other case the operation of the rate shall be suspended until the decision is given.

(8) The commissioners, in apportioning the through rate, shall take into consideration all the circumstances of the case, including any special expense incurred in respect of the construction, maintenance, or working of the route, or any part of the route, as well as any special charges which any company may have been entitled to make in respect thereof.

(9) It shall not be lawful for the commissioners in any case to compel any company to accept lower mileage rates than the mileage rates which such company may for the time being legally be charging for like traffic carried by a like mode of transit on any other line of communication between the same points, being the points of departure and arrival of the through route.

Where a railway company or canal company use, maintain, or work, or are party to an arrangement for using, maintaining, or working, steam vessels for the purpose of carrying on a communication between any towns or ports, the provisions of this section shall extend to such steam vessels, and to the traffic carried thereby.

When any company, upon written notice being given as aforesaid, refuses or neglects without reason to agree to the proposed through rates, or to the route, or to the apportionment, the commissioners, if an order is made by them upon an application for through rates, may order the respondent company or companies to pay such costs to the applicants as they think fit.

26. Subject to the provisions in the last preceding section contained, the commissioners shall have full power to decide that any proposed through rate is just and reasonable, notwithstanding that a less amount may be allotted to any forwarding company out of such through rate than the maximum rate such company is entitled to charge, and to allow and apportion such through rate accordingly.

27. (1) Whenever it is shown that any railway company charge one trader or class of traders, or the traders in any district, lower tolls, rates, or charges for the same or similar merchandise, or lower tolls, rates, or charges for the same or similar services, than they charge to other traders, or classes of traders, or to the traders in another district, or make any difference in treatment in respect of any such trader or traders, the burden of proving that such lower charge or difference in treatment does not amount to an undue preference shall lie on the railway company.

(2) In deciding whether a lower charge or difference in treatment does or does not amount to an undue preference, the court having jurisdiction in the matter, or the commissioners, as the case may be, may, so far as they think reasonable in addition to any other considerations affecting the case, take into consideration whether such lower charge or difference in treatment is necessary for the purpose of securing in the interests of the public the traffic in respect of which it is made, and whether the inequality can not be removed without unduly reducing the rates charged to the complainant; provided that no railway company shall make, nor shall the court or the commissioners sanction any difference in the tolls, rates, or charges made for, or any difference in the treatment of, home and foreign merchandise in respect of the same or similar services.

(3) The court or the commissioners shall have power to direct that no higher charge shall be made to any person for services in respect of merchandise carried over a less distance than is made to any other person for similar services in respect of the like description and quantity of merchandise carried over a greater distance on the same line of railway.

28. The provisions of section 2 of the railway and canal traffic act, 1854, and of

section 14 of the regulation of railways act, 1873, and of any enactments amending and extending those enactments, shall apply to traffic by sea in any vessels belonging to or chartered or worked by any railway company, or in which any railway company procures merchandise to be carried, in the same manner and to the like extent as they apply to the land traffic of a railway company.

29. (1) Notwithstanding any provision in any general or special act, it shall be lawful for any railway company, for the purpose of fixing the rates to be charged for the carriage of merchandise to and from any place on their railway, to group together any number of places in the same district, situated at various distances from any point of destination or departure of merchandise, and to charge a uniform rate or uniform rates of carriage for merchandise to and from all places comprised in the group from and to any point of destination or departure.

(2) Provided that the distances shall not be unreasonable, and that the group rates charged and the places grouped together shall not be such as to create an undue preference.

(3) Where any group rate exists or is proposed, and in any case where there is a doubt whether any rates charged or proposed to be charged by a railway company may not be a contravention of section 2 of the railway and canal traffic act, 1854, and any acts amending the same, the railway company may, upon giving notice in the prescribed manner, apply to the commissioners, and the commissioners may, after hearing the parties interested and any of the authorities mentioned in section 7 of this act, determine whether such group rate or any rate charged or proposed to be charged as aforesaid does or does not create an undue preference. Any persons aggrieved, and any of the authorities mentioned in section 7 of this act, may, at any time after the making of any order under this section, apply to the commissioners to vary or rescind the order, and the commissioners, after hearing all parties who are interested, may make an order accordingly.

30. Any port or harbor authority or dock company which shall have reason to believe that any railway company is by its rates or otherwise placing their port, harbor, or dock at an undue disadvantage as compared with any other port, harbor, or dock to or from which traffic is or may be carried by means of the lines of the said railway company, either alone or in conjunction with those of other railway companies, may make complaint thereof to the commissioners, who shall have the like jurisdiction to hear and determine the subject-matter of such complaint as they have to hear and determine a complaint of a contravention of section 2 of the railway and canal traffic act, 1854, as amended by subsequent acts.

31. (1) Whenever any person receiving or sending or desiring to send goods by any railway is of opinion that the railway company is charging him an unfair or an unreasonable rate of charge, or is in any other respect treating him in an oppressive or unreasonable manner, such person may complain to the board of trade.

(2) The board of trade, if they think that there is reasonable ground for the complaint, may thereupon call upon the railway company for an explanation, and endeavor to settle amicably the differences between the complainant and the railway company.

(3) For the purposes aforesaid, the board of trade may appoint either one of their own officers or any other competent person to communicate with the complainant and the railway company, and to receive and consider such explanations and communications as may be made in reference to the complaint; and the board of trade may pay to such last-mentioned person such remuneration as they may think fit, and as may be approved by the treasury.

(4) The board of trade shall from time to time submit to Parliament reports of the complaints made to them under the provisions of this section, and the results of the proceedings taken in relation to such complaints, together with such observations thereon as the board of trade shall think fit.

(5) A complaint under this section may be made to the board of trade by any of the authorities mentioned in section 7 of this act, in any case in which, in the opinion of any of such authorities, they or any traders or persons in their district are being charged unfair or unreasonable rates by a railway company; and all the provisions of this section shall apply to a complaint so made as if the same had been made by a person entitled to make a complaint under this section.

32.—(1) The returns required of a railway company under section 9 of the railways regulation act, 1871, shall include such statements as the board of trade may from time to time prescribe, and the forms referred to in that section may from time to time be altered by the board of trade in such manner as they think expedient for giving effect to this section, and the said section 9 of the railways regulation act, 1871, shall apply accordingly.

(2) The board of trade may from time to time alter the times fixed by the said act or by the railways regulation act (returns of signal arrangements, workings, etc.), 1873, for the forwarding of any of the returns required by the said act or this act.

33.—(1) The book, tables, or other document in use for the time being containing

the general classification of merchandise carried on the railway of any company, shall, during all reasonable hours, be open to the inspection of any person without the payment of any fee at every station at which merchandise is received for conveyance, or where merchandise is received at some other place than a station then at the station nearest such place, and the said book, tables, or other document as revised from time to time shall be kept on sale at the principal office of the company at a price not exceeding 1 shilling.

(2) Printed copies of the classification of merchandise traffic, and schedule of maximum tolls, rates, and charges of every railway company authorized as provided by this act, shall be kept for sale by the railway company at such places and at such reasonable price as the board of trade may by any general or special order prescribe.

(3) The company shall within one week after application in writing made to the secretary of any railway company by any person interested in the carriage of any merchandise which has been or is intended to be carried over the railway of such company, render an account to the person so applying in which the charge made or claimed by the company for the carriage of such merchandise shall be divided, and the charge for conveyance over the railway shall be distinguished from the terminal charges (if any), and from the dock charges (if any), and if any terminal charge or dock charge is included in such account the nature and detail of the terminal expenses or dock charges in respect of which it is made shall be specified.

(4) Every railway company shall publish at every station at which merchandise is received for conveyance, or where merchandise is received at some other place than a station then at the station nearest to such place, a notice, in such form as may be from time to time prescribed by the board of trade, to the effect that such book, tables, and document touching the classification of merchandise and the rates as they are required by this section and section 13 of the regulation of railways act, 1873, to keep at that station, are open to public inspection, and that information as to any charge can be obtained by application to the secretary or other officer at the address stated in such notice.

(5) Where a railway company carries merchandise partly by land and partly by sea, all the books, tables, and documents, touching the rates of charge of the railway company, which are kept by the railway company at any port in the United Kingdom used by the vessels which carry the sea traffic of the railway company, shall, besides containing all the rates charged for the sea traffic, state what proportion of any through rate is appropriated to conveyance by sea, distinguishing such proportion from that which is appropriated to the conveyance by land on either side of the sea.

(6) Where a railway company intend to make any increase in the tolls, rates, or charges published in the books required to be kept by the company for public inspection, under section 14 of the regulation of railways act, 1873, or this act, they shall give by publication in such manner as the board of trade may prescribe at least fourteen days' notice of such intended increase, stating in such notice the date on which the altered rate or charge is to take effect; and no such increase in the published tolls, rates, or charges of the railway company shall have effect unless and until the fourteen days' notice required under this section has been given.

(7) Any company failing to comply with the provisions of this section shall, for each offense, and in the case of a continuing offense for every day during which the offense continues, be liable, on summary conviction, to a penalty not exceeding £5.

34. When traffic is received or delivered at any place on any railway other than a station within the meaning of section 14 of the regulation of railways act, 1873, the railway company on whose line such place is, shall keep at the station nearest such place a book or books showing every rate for the time being charged for the carriage of traffic other than passengers and their luggage, from such place to any place to which they book, including any rates charged under any special contract, and stating the distance from that place of every station, wharf, siding, or place to which such rate is charged.

Every such book shall, during all reasonable hours, be open to the inspection of any person without the payment of a fee.

35. (1) The board of trade may, from time to time, make, rescind, and vary rules with respect to the following matters: (a) The form and manner in which classifications and schedules under this part of this act are to be prepared and submitted to the board of trade and to Parliament, and the publication, advertisement, and settlement (by the board of trade) of such classifications and schedules, and of provisional orders. (b) All proceedings before the board of trade under this part of this act. (c) The fees to be paid in respect of such proceedings; and (d) any matter authorized by this act to be prescribed.

(2) Any rules made by the board of trade in pursuance of this section shall be laid before Parliament within three weeks after they are made, if Parliament be then sitting, and if Parliament be not then sitting, within three weeks after the beginning of the then next session of Parliament, and shall be judicially noticed, and shall have effect as if they were enacted by this act.

PART III.—CANALS.

(The part of the act relating to canals, not being of special interest in the United States, is omitted.)

PART IV.—MISCELLANEOUS.

(Below are given such sections or parts of sections as would be of particular interest outside the United Kingdom.)

47. So much of the regulation of railways act, 1873, as limits the time during which that act shall continue in force shall, save so far as it relates to the appointment of the commission, be repealed, and the said act, save as aforesaid, shall be perpetual.

50. In any proceedings under this act any party may appear before the commissioners either by himself in person or by counsel or solicitor.

55. In this act, unless the context otherwise requires—

Terms defined by the regulation of railways act, 1873, have the meanings thereby assigned to them:

The term "undue preference" includes an undue preference, or an undue or unreasonable prejudice or disadvantage, in any respect, in favor of or against any person or particular class of persons or any particular description of traffic.

The term "terminal charges" includes charges in respect of stations, sidings, wharves, depots, warehouses, cranes, and other similar matters, and of any services rendered thereat.

The term "merchandise" includes goods, cattle, live-stock, and animals of all descriptions.

The term "trader" includes any person sending, receiving, or desiring to send merchandise by railway or canal.

The term "home," in relation to merchandise, includes the United Kingdom, the Channel Islands, and the Isle of Man.

56. This act shall come into operation on the first day of January, one thousand eight hundred and eighty-nine, which day is in this act referred to as the commencement of this act: Provided that at any time after the passing of this act any appointment and rules may be made, and other things done for the purpose of bringing this act into operation at such commencement.

57. Subject to general rules, to be made under this act, all proceedings which, at the commencement of this act, under the regulation of railways act, 1873, and acts amending it, or under any other acts, are pending before the railway commissioners, shall be transferred to the railway and canal commission under this act, and may thereupon be continued and concluded in all respects as if such proceedings had been originally instituted before that commission.

58. Every action or proceeding which might have been brought before the railroad commissioners if this act had been in force at the time when such action or proceeding was begun, and is at the commencement of this act pending before any superior court, may, upon the application of either party, be transferred by any judge of such superior court to the railway and canal commissioners under this act, and may thereupon be continued and concluded in all respects as if such action or proceeding had been originally instituted before that commission: Provided that no such transfer, nor anything herein contained, shall vary or affect the rights or liabilities of any party to such action or proceeding.

APPENDIX B.

STATEMENT OF POINTS DECIDED BY THE COMMISSION DURING THE YEAR.

Power, judicial in its nature, is conferred by the act to regulate commerce upon the Interstate Commerce Commission, and this power has been exercised by the Commission in a large variety of cases. The statute provides the manner in which this power shall be exercised and requires the Commission to set forth its findings in every case. It has been the practice of the Commission, in executing this mandate of the statute, in every report to give a statement of the substantial averments of the pleadings in order to show the nature of the issues, with the substance of the evidence, so far as material, followed by the findings of fact of the Commission, and lastly its conclusions or opinion. By this mode of procedure it has been considered that a more correct and intelligent idea might be had of the merits of the case, the points really in issue, and the conclusions reached.

The reports and decisions of the Commission from April, 1887, to April, 1888, were printed in one volume by Messrs. L. K. Strouse & Co., law publishers, New York City, under the supervision of the Commission. Part of these decisions were referred to briefly in the first annual report of the Commission. The decisions and reports of the Commission made since April, 1888, are being printed by the same publishers under the supervision of the Commission and will also make another volume, probably equally as large as the first, for the year ending April, 1889.

These reports and decisions illustrate to some extent the nature of the questions that have come up in this form, and the manner in which they have been disposed of by the Commission. They involve constructions of the statute as applied to the varying details of different cases. Some of them settle principles very general in their application to the transportation service, while others decide cases based largely upon diversities of transportation in different portions of the country. But in each instance the difference between principles settled, which are of general application, and those which are of local application, resulting from peculiar diversities of transportation in different portions of the country, is easily seen from a careful examination of the reports and decisions themselves. A large body of rules have thus been made, carrying into practical effect the enforcement of the statute in the matters to which they relate. Thus far carriers and shippers, as a rule, have abided by them, except in the two instances referred to in the body of this report.

It is not proposed in this annual report to publish at length the reports and decisions of the Commission made since its first annual report, for that would be impracticable on account of the space they would occupy. It is deemed sufficient for the purposes of this annual report to here notice briefly only such of them as were not mentioned in the first annual report of the Commission and which have been made since that

time. This will be done by stating as briefly as may be the points decided in each particular case.

W. O. Harwell, H. B. Montgomery, and J. W. Ponder, committee on transportation of the board of trade of Opelika, Ala., *v.* The Columbus and Western Railroad Company and the Western Railway of Alabama.

The mere fact that a point is situated upon a navigable stream, held not sufficient of itself to justify the lesser charge for a longer haul to such a point.

Competition by water, to be sufficient to justify an exception under section 4 of the act, should be actual, of controlling force, and in respect to traffic important in amount.

Discrimination under section 2, and prejudice and advantage under section 3, when water competition is brought forward as a justification, require the same measure of proof.

Parties affected are entitled to be notified in case a change in rates is asked. No order correcting the unjust discrimination now made, for want of proper parties and distinct allegations. Amendments allowed, and revision of tariffs recommended to defendants.

Through rates and through bills of lading given on other commodities, and to other points similarly situated, should be given to Opelika on cotton, no excuse being shown for refusing same.

William H. Council v. The Western and Atlantic Railroad Company.

The Commission will not go into the question of money damages when the claim presented is in its nature an action of trespass, for the reason that defendant is constitutionally entitled to a trial by jury in such a case.

The Commission is not authorized to award the counsel and attorney's fees, which may be given by a court under the eighth section of the act.

Colored people may properly be assigned separate cars on equal terms. Such a separation of the races does not create undue prejudice or unjust preference.

Complainant, a colored man, paid the same fare as other first-class passengers, and it was only fair dealing and common honesty that he should have the security and convenience of travel for which his money had been taken.

Colored people who buy first-class tickets must be furnished with accommodations equally safe and comfortable with other first-class passengers. The Commission finds that the car furnished complainant was only second class in comforts for travel, and that he was thereby subjected to undue prejudice and unreasonable disadvantage, in violation of the act to regulate commerce.

Thomas J. Reynolds v. The Western New York and Pennsylvania Railway Company.

A road being in the hands of a receiver, a complaint was instituted against the company owning it, and in the complaint the receivership was mentioned, but the company was stated as having come into possession of the road, and the receiver was erroneously called the president of the company. The petition was served on him,

and an answer was filed by the company. Under the circumstances it was held proper to allow the petitioner to amend his complaint so as to show the existence of the receivership.

In the matter of the Express Companies.

The mere fact that a common carrier does other business besides the transportation of passengers or property, or performs a further service than that of transportation in respect to the articles carried, *held*, not sufficient to exclude the carrier from the operation of the act, so far as applicable to its business.

The act to regulate commerce is highly remedial in purpose and scope, and should receive a liberal construction, with the object of making the beneficial result desired by Congress operative to the greatest available extent.

The relation of express companies to interstate commerce considered, with the extent and method of their participation therein. The bringing them within the provisions of the act found practicable, and on some accounts desirable.

Express business, conducted as a branch of the business of the railroad company, *held* to be subject to the act.

Express business, conducted by an independent organization, acquiring transportation rights by contract, *held* not to be described in the act with sufficient precision to warrant the Commission in taking jurisdiction thereof.

Riddle, Dean & Co. v. The Baltimore and Ohio Railroad Company.

In deciding upon applications for the amendment of complaints the Commission acts upon the principles recognized in courts of justice. An amendment which proposes to substitute for the original cause of complaint something quite distinct and different will not be allowed. If the party desires to make a new case he should do so by a new complaint.

Riddle, Dean & Co. v. The Pittsburgh and Lake Erie Railroad Company.

Where according to its usual experience a railroad company has sufficient equipment to meet the demands upon it, and to move without unreasonable delay the freights offered, but by reason of unusual circumstances for which the company is not in fault, freights have accumulated to an exceptional extent, and are then offered in extraordinary quantities, the company is not chargeable with any violation of law because of its proving unable to respond at once to all calls, and to furnish cars as rapidly as shippers demand them. Nor does it violate any law by refusing to allow its cars to be sent off its line to distant points when the business offered on its own line keeps them fully occupied.

Where by reason of extraordinary circumstances a railroad company can not promptly meet all calls for cars, it should furnish them ratably and fairly to all shippers, in proportion to the freights offered by them respectively, until the emergency has passed, and it is again enabled to move promptly all the freights tendered.

Upon the facts in this case the charge of unjust discrimination as between shippers and also between different classes of traffic, is held not made out.

Thomas J. Reynolds v. Western New York and Pennsylvania Railway Company and G. Clinton Gardner, receiver of the Buffalo, New York and Philadelphia Railroad Company.

Classification of railroad ties should correspond with that of other rough lumber. Raising of same from sixth to fifth class unjustifiable.

Rates established by a common carrier in order to keep upon its line material for which the road has use, or to keep the price low for its own advantage, can not be justified.

Producer of railroad material is entitled to sell it when he wishes, in the best available market. Common carriers are forbidden to attempt to prevent this by applying disproportionate or unreasonable rates.

Special classification of lumber should be extended to railroad ties at the points in question.

B. S. Crews et al., committee, etc., v. The Richmond and Danville Railroad Company.

It is not a ground of complaint against a railroad company that it equalizes its rates as between small and large towns, even though the effect may be prejudicial to the large towns, which before had been specially favored.

The spirit and purpose of the act to regulate commerce requires that when the circumstances and conditions will fairly admit of it the charges to all points for a like service should be made relatively equal.

When the reasonableness of rates is in question, the charges made on long through lines can not, for reasons which are stated in the opinion, form a just basis for comparison with local rates for relatively short distances.

A carrier is not made responsible for rates made by a connecting road because merely of its giving them in connection with its own rates to parties desiring to make through shipments.

A carrier is not compellable by law to give to the merchants of a town on its line the privilege of shipping their goods from the point of purchase to their own locality, and again from thence to the place at which the goods may be sold by them at the same rate which would have been charged had there been but one shipment from the point of purchase to the point of ultimate delivery.

The fact that a refusal to give the through rate as for one shipment, operates prejudicially to the town desiring the privilege and favorably to another town, does not make the refusal operate as unjust discrimination when the carrier applies the same rule to all towns and accords the privilege to none.

Discrimination must consist in the doing for or allowing to one party or place what is denied to another; it can not be predicated of action which in itself is impartial.

William H. Heard v. The Georgia Railroad Company.

Passengers paying the same fare upon the same railroad train, whether white or colored, are entitled to equality of transportation, in respect to the character of the cars in which they travel and the comforts and conveniences supplied.

Separation of white and colored passengers paying the same fare is not unlawful, if cars and accommodations equal in all respects are

furnished to both, and the same care and protection of passengers observed.

By requiring the petitioner, who had paid a first-class fare, to ride in a half car set apart for colored passengers, with accommodations and comforts inferior to the car for white passengers in the same train, who paid the same fare, and without the protection against annoyances furnished to white passengers, the Georgia Railroad Company subjected him to undue and unreasonable prejudice and disadvantage, in violation of the third section of the act to regulate commerce.

The Boston Chamber of Commerce v. The Lake Shore and Michigan Southern Railway Company, The New York Central and Hudson River Railroad Company, and the Boston and Albany Railroad Company.

The same v. The Lake Shore and Michigan Southern Railway Company.

The same v. The New York Central and Hudson River Railroad Company.

The relative reasonableness of rates on shipments from western points to cities on the Atlantic seaboard is to be determined by all the circumstances and conditions that affect the traffic to the respective points between which the rates are questioned, and not solely by one standard of comparison.

The length and character of the haul; the cost of the service; the volume of business; the conditions of competition; the storage capacity and the geographical situation at the different terminal points, are all elements of importance, bearing upon the relative reasonableness of the respective charges for transportation.

The fact that the export rates through Boston, and the rates on merchandise intended for coast-wise points east of Portland, and the west-bound rates from Boston, have been made by the carriers the same as corresponding New York rates in order to put Boston on an equality with New York and other sea-board cities, wherever Boston is a competitor with those cities, is not controlling in determining the reasonableness of east-bound Boston local rates on a traffic in which there is no competition by other cities.

In view of the longer haul to Boston than to New York; the greater cost of transportation to Boston; the very much greater volume of business to and from New York; the competition by water transportation by the lakes, Erie Canal, and Hudson River, and also by several railroad lines; and the geographical and commercial advantages of New York; the differentials on Boston local rates of 10 cents per 100 pounds on the first and second classes of merchandise, and of 5 cents per 100 pounds on the four other classes, between New York and Boston, on traffic originating west of Buffalo, have not been shown to be unjust or unreasonable, or to constitute unjust discrimination against Boston.

James Pyle & Sons v. The East Tennessee, Virginia and Georgia Railway Company.

By the classification of the Southern Railway and Steamship Association adopted by the East Tennessee, Virginia and Georgia Railway Company on shipments of pearline and common soap from New

York to Atlanta, Ga., pearline is in fourth-class freight with a rate of 73 cents per 100 pounds, while common soap is in sixth-class freight with a class rate of 49 cents per 100 pounds, but a "special rate" is given common soap of 33 cents per 100 pounds.

Held, that pearline being competitive with common soap, the relative difference between the class rate of pearline and this "special rate" on common soap is too great, and that pearline must be placed in fifth-class freight on shipments from New York to Atlanta by the defendant company, with a rate of 60 cents per 100 pounds, and also in the fifth class in the classification of the Southern Railway and Steamship Association, and, further, that the relative difference in the rates on pearline and common soap in such shipments must not exceed the difference of 60 cents per 100 pounds on pearline and 33 cents on soap.

Held further, that on shipments of pearline and common soap, all rail, in the territory to which the classifications of the Southern Railway and Steamship Association applies, the following rates of this association must be maintained by the defendant company, namely:

Soap powder:		Cts.
100 miles	per 100 pounds..	32
500 miles	do	49
Common soap:		
100 miles	do	20
500 miles	do	38

Held, that the discrimination made by the "special rate" of the Southern Railway and Steamship Association between pearline and common soap, to the extent now existing on the shipments to which it refers, is unjust and must be discontinued, and while common soap is in its sixth class, pearline must be placed in its fifth class.

A statement of the grounds of differences in the classification of articles of freight by railroad companies and a discussion of these, by which the conclusions of the Commission are reached, in the classification of pearline when transported all rail on the one hand, or on the other, partly by water and partly by rail, as compared with the transportation of common soap by either mode.

W. B. Farrar & Company v. The East Tennessee, Virginia and Georgia Railway Company and the Norfolk and Western Railroad Company.

The local rates from Dalton to Knoxville, Johnson City, and Bristol on lumber are not shown to be unreasonable.

The joint rates on lumber from Dalton to Roanoke and Lynchburgh are shown to be unreasonable upon the grounds and for the reasons set forth in the report and opinion of the Commission.

As a rule, in the transportation of freight by railroads, while the aggregate charge is continually increasing the further the freight is carried, the rate per ton per mile is constantly growing less all the time, making the aggregate charge less in proportion every hundred miles after the first, arising out of the character and nature of the service performed, and the cost of the service; and thus staple commodities and merchandise are enabled to bear the charges of this mode of transportation from and to the most distant portions of the country.

The act to regulate commerce, so far from throwing hampering restrictions or obstacles in the way of the operation of this salutary rule, gives it all the benefit and aid of its sanction and safeguards by providing that the carrier shall be entitled to receive a reasonable compensation for the service performed upon open published rates, against which no competitor can take advantage by allowing shippers secret rebates and drawbacks in order to get the business.

In the nature of things joint rates on long hauls usually are, and as a rule should be, lower in proportion to distance than local rates on short hauls of the same commodity.

Riddle, Dean & Co. v. The Pittsburgh and Lake Erie Railroad Company.

Rule stated in reference to applications for rehearings.

The Commission will promptly and carefully examine an application for a rehearing with a view to the immediate correction of any error of law or fact found to exist, but will not direct a rehearing involving the expense to parties of appearing before the Commission for a re-argument, unless satisfied that such a re-argument might have the effect of changing the result of what the Commission has already done.

The statute is construed as dealing with the substance of things, and as contemplating, as far as this is possible, methods of procedure that are speedy and which come at once to the very right of questions arising in the transportation of persons and freight.

Where the relation of any carrier to the matter complained of is such that it is in whole or in part materially responsible for the alleged grievance, and has direct interest in any investigation of the subject matter involved, and the merits of the controversy can not be investigated and determined in the absence of such carrier as a party, then that carrier should be made a party to the proceeding, and if not a party, no relief can be had against it.

The report and findings of the Commission upon the evidence relates only to the ascertainment and presentation of all the material facts necessary to fairly and justly present the merits of the controversy, and the Commission does not report evidence which is only cumulative, or which is immaterial, or irrelevant, or mere details of evidence already embraced in substantial facts stated, upon which the findings and conclusions of the Commission are made.

John D. Heck and L. J. A. Petree v. The East Tennessee, Virginia and Georgia Railway Company, the Knoxville and Ohio Railroad Company, the Richmond and Danville Railroad Company, the Richmond and West Point Terminal and Warehouse Company, the Coal Creek and New River Railroad Company.

A railroad company, chartered by the State of Tennessee, owns a short road wholly in that State, but has never owned any rolling stock nor operated its road. The road was used and operated as a means of conducting interstate traffic in coal by companies owning connecting interstate roads. *Held*, that the short road thus used is one of the facilities and instrumentalities of interstate commerce, and the carriers using it are subject to the provisions of the act to regulate commerce.

In respect to such traffic the duties of such carriers to the public are the same without respect to ownership, corporate control, the authority or means of its construction.

As one of the "instrumentalities of shipment or carriage," it must be accessible to all interstate shippers on equal and reasonable terms. The public can not be deprived of this right by the separate or joint action of the carriers, and they can not be permitted to use it for purposes of discrimination between mine owners on its line.

The claim for pecuniary damages presents a case at common law, in which defendants are entitled to a jury trial.

George Rice *v.* The Louisville and Nashville Railroad Company.

The Same Complainant *v.* The Saint Louis, Iron Mountain and Southern Railway Company.

The Same Complainant *v.* The Mobile and Ohio Railroad Company.

The Same Complainant *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company.

The Same Complainant *v.* The Cincinnati, New Orleans and Texas Pacific Railway Company and the Alabama Great Southern Railroad Company.

The Same Complainant *v.* The Mississippi and Tennessee Railroad Company.

The Same Complainant *v.* The Newport News and Mississippi Valley Company and the Louisville, New Orleans and Texas Railroad Company.

The Same Complainant *v.* The Newport News and Mississippi Valley Company and the Illinois Central Railroad Company.

The Same Complainant *v.* The Illinois Central Railroad Company.

When for a special traffic, *e. g.*, the transportation of petroleum oils, a carrier provides rolling stock for one method, but does not provide it for another for which it publishes rates, but the shippers are expected to provide the same, the terms on which such rolling stock is to be provided should be uniform and be published with the rate sheets, and can not lawfully be left to be the subject of bargain and of different terms in the case of different shippers.

It is properly the business of a carrier by railroad to supply the rolling stock for the freights he offers or proposes to carry; and if the diversities and peculiarities of traffic are such that this is not always practicable, and consignors are allowed to supply it for themselves, the carrier must not allow its own deficiencies in this particular to be made the means of putting at unreasonable disadvantage those who make use in the same traffic of the facilities it supplies.

When two methods for the transportation of an article of merchandise are nominally offered by the carrier, for only one of which it offers rolling stock, and for the other of which the shipper must supply his own rolling stock at considerable expense, it can not be said that the resort to the latter by the shipper is so far a matter of choice that he has no concern with the charges for transportation in the other mode. The man of small means being compelled to make this choice by reason of the carrier's failure to supply rolling stock for the other mode, has a right to insist that the charges by transportation in the two modes shall be relatively just and equal.

When oil is transported in tanks permanently affixed to car bodies, the tank is to be considered as part of the car; and for oil transported therein the charge for transportation should be the same by the hundred pounds that the carrier charges for transportation between the same points of barrels filled with like oil and taken in car-load lots. The carrier is guilty of unjust discrimination if the shipper in barrels is charged a higher rate.

Neither the fact that the shipper in the one case supplies the rolling stock, nor the alleged fact, which is not found sustained, that for the tanks there is a greater probability of return loads, nor the further alleged fact that with barrel shipments there are greater risks to the carrier's property and that which it carries, can justify imposing upon the barrel shipments the greater burden.

Under this rule the carrier will be at liberty and will be expected to make to the owner of tank cars a reasonable allowance for their use.

When an important question is raised by the pleadings in a case, the determination of which will affect others quite as much as the parties before the Commission, but the parties give their attention almost exclusively to other questions, and neither by the evidence nor in argument supply the Commission with the information to enable it to be understandingly determined, the Commission will decline to decide it, and leave the parties to bring it forward again as they may be advised.

Riddle, Dean & Co. v. The New York, Lake Erie and Western Railroad Company and the Pittsburgh and Lake Erie Railroad Company.

Contracts between railroad companies for the advantageous transaction of business at a given point involve corresponding obligations to the public.

Regular patrons are not entitled to preference in the use of equipment of common carriers; the public must be justly and equally served. Obligation of common carriers to transport freight arises upon tender of same for transportation in the usual way, without any special agreement; compensation for the service is secured by a lien upon the goods except when payment in advance is made.

Selection of either goods or customers is forbidden to common carriers; less desirable traffic which is ordinarily the subject for transportation and not dangerous to handle, must be accepted upon reasonable terms, as well as that which is more desirable.

It is not a valid excuse for refusal to furnish a fair allotment of a certain class of cars that they can be more profitably employed, and can supply the wants of a larger number of shippers upon another portion of the line.

Undue preference found to have been given by defendants, to the prejudice of complainants, upon the facts stated.

Riddle, Dean & Co. v. The Baltimore and Ohio Railroad Company.

A statement of the evidence from which it appears that it was the duty of the Yough Slope mine, its owners and agents, to have inquired of the station agent of the railroad company near by the mine on the 30th day of August, 1887, and on the next day, by which they would have learned that the mine could have obtained cars for the shipment of coal to Arthur & Boylan at Cleveland,

Ohio, and they having failed to do this, in consequence of which the Youghiogheny and Ashtabula mines received nearly all these cars for this purpose, without any partiality or preference on the part of the railroad company.

Held, upon these facts that a complaint of unjust discrimination against the Yough Slope mine, and in favor of the Youghiogheny and Ashtabula mines can not be sustained.

Where a complaint is made by a shipper that an unjust discrimination was perpetrated by a railroad company against him at a particular time named, in a case like the present, to rebut the inference arising from circumstances, calling for explanation, amongst other evidence, the carrier may show that during a long course of business neither it nor any of its agents have ever shown any unfriendly spirit whatever toward the shipper, and that, on the contrary, its agents immediately before the matter complained of made extra exertions in good faith to serve the shipper in obtaining cars for him from the connecting line to which the shipper had to look for such cars.

In the absence of some custom and rule of business placing such duty upon the carrier to notify the shipper without inquiry on the part of the latter of the fact that he can then obtain cars for the movement of his freight, it is the duty of the shipper by reasonable inquiry made to the proper agent of the railroad company, to obtain this information for himself; but in a case like the present, if the carrier took upon itself the duty of actually notifying the Youghiogheny and Ashtabula mines on the 30th of August, 1887, without waiting for any inquiry on their part, that they could get cars, then, in like manner, it was its duty to have notified the Yough Slope mine at the same time that it could get cars.

Held, That, tested by these rules, no case of preference or unjust discrimination is made out by the evidence in favor of the Youghiogheny and Ashtabula mines and against the Yough Slope mine.

In the matter of the Tariffs of the Columbus and Western Railway.

Tariffs not conforming to fourth section criticised. Circumstances stated found not sufficient to warrant deviation from the law.

Carriers should bring their tariffs into conformity with the statute without suggestions from the Commission as to details.

The La Crosse Manufacturers and Jobbers' Union v. The Chicago, Milwaukee and Saint Paul Railway Company, the Chicago and Northwestern Railway Company, and the Chicago, Burlington and Northern Railroad Company.

The fact that the rates of a railroad company are not established on a mileage basis does not necessarily make out their illegality or injustice.

A prayer in a petition against a railroad company, that the company be required to make its rates from one terminus to the town from which the petition proceeds and to other towns in the same section, and also from such terminus to the petitioning town and from thence to such other towns, on a uniform and equal mileage basis, can not be granted, the Commission having no power to require the adoption of such a basis.

A complaint will not be filed of which no reasonable ground for investigation appears.

In the matter of Underbilling.

Investigation conducted by the Commission at New York City, Buffalo, Detroit, Chicago, Omaha, Lincoln, and Washington, in March, 1888. Opinion filed April 11, 1888.

Underbilling, a device by which a shipper pays for the transportation of a less quantity of freight than is actually carried, and thereby obtains a reduced rate upon the gross shipment, is forbidden by the act to regulate commerce.

Unjust discrimination results from underbilling, in that the favored shipper pays a less sum than is charged others for the same service. Common carriers are bound to exact equality in their service of the public.

Organized action by carriers to prevent underbilling commended; their duty to put an end to the practice insisted upon.

Carriers should be held, and in turn should hold every agent, responsible for the shipment of goods at exact weights and correctly classified.

Commissions paid to soliciting agents when divided with shippers effect a breach of the law.

Shippers should be required to extend to carriers the same honesty expected in other commercial transactions.

Preferences obtained by underbilling explained, and remedies suggested.

Legislation recommended imposing a moderate penalty upon shippers who willfully and fraudulently obtain reduced rates of transportation for their property.

John H. Martin and M. H. Martin v. The Southern Pacific Company, the Central Pacific Railroad Company, and the Union Pacific Railroad Company.

Mixed car-load lots of freight are treated in different ways under the classifications employed in different parts of the country, resulting in much confusion and annoyance to shippers, especially upon traffic passing from one section to another. The immediate adoption of a uniform and reasonable rule urgently recommended.

Classification of dried fruits and raisins, both California products, in different classes, taking different rates of freight, works an injustice to shippers. In all matters of classification clearness and simplicity should be aimed at, and irregularities and inconsistencies should be eliminated.

Rates obtained by combination, which produce a lower rate than the tariff calls for, are unjust, because they enable an intelligent shipper to obtain an advantage over one who has less information, and they are illegal because they show two rates to the same point, over the same line, at the same time. The tariff rates should not exceed the combination rates in any case.

Violation of the fourth section of the act can be accomplished by differences in classification as well as by differences in tariff rates.

Canadian competition at the present time does not justify a higher charge from San Francisco to Denver than to Kansas City, it having been withdrawn at the latter point, and the Canadian road now working upon an agreement as to rates with the roads in the United States at all points where it formerly competed.

The great distance of Denver from the Missouri River of itself denotes an impropriety in the charges to that point which exceed those to Kansas City.

In re Louisville and Nashville Railroad Company (1 I. C. C. R., 31) affirmed; and in accordance with the principles there laid down, the conclusion follows that the greater charge for the shorter haul complained of in the present case can not now be justified.

The Commission prefers to permit the carriers to work out for themselves all tariff details, and accords a reasonable time for that purpose.

Enclid Martin and others, constituting the freight bureau of the Omaha Board of Trade, *v.* The Chicago, Burlington and Quincy Railroad Company, the Chicago and Northwestern Railway Company, the Union Pacific Railway Company, the Chicago, Milwaukee and Saint Paul Railway Company, the Chicago, Rock Island and Pacific Railway Company, and the Burlington and Missouri River Railroad Company in Nebraska.

The principles laid down in the case of *Crews v. The Richmond and Danville Railroad Company* (1 Interstate Commerce Commission Reports, 401), restated and reaffirmed.

Trade centers or large commercial towns are not as a matter of right entitled to have more favorable rates than the smaller towns for which they form distributing centers; and if carriers shall give to such smaller towns rates as favorable as to the larger, the Commission will not interfere.

The fact that, under rates which are impartially arranged as between large and small towns, one large distributing center may have an advantage over another in competition for the business of the small towns does not make out a case of undue preference in favor of the one distributing center as against the other. Impartial rates are not rendered illegal by their effect upon the business of localities.

A distributing center, however great or important, can not demand as a matter of right that the rates from a common source of supply to more distant and smaller towns shall be made up of the sum of the rate to itself and the rate thence to such smaller towns; but the carriers may make rates from the common source of supply to the smaller towns directly, as single rates; and if the single rate is less than the sum of the two which are made to and from the distributing center, it is not for that reason necessarily objectionable.

A case can not be decided on a theory which is neither presented by the complaint nor advanced on the taking of the testimony.

What constitutes local and what through rates considered.

The Business Men's Association of the State of Minnesota *v.* The Chicago, Saint Paul, Minneapolis and Omaha Railway Company.

One feature of the transportation of freight by railroads in long hauls on joint rates, or what is usually called through rates, unless there be exceptional conditions which modify the rule, is that the rate per ton per mile grows less in proportion to the greater distance, while the aggregate of the rate increases in proportion to such greater distance; but this is not found to exist in the case of the local rates of a railroad, where the stations are occasionally grouped, but more usually graded according to distance, except as an inci-

dent of rare and highly exceptional conditions of the transportation service.

The method of testing the freight rates of a railroad by the rate per ton per mile is one by which these rates may be brought down to the narrowest point of scrutiny, and in this sense is valuable, but it is like looking at them with a microscope, for it ignores all other tests except that which it alone furnishes, and does not take into consideration any of the surrounding circumstances and conditions that enter into the making of the rate, no matter how compulsory or imperious these may be, and for this reason it can not be considered a controlling rule in determining the reasonableness of rates.

To determine the reasonableness and justness of any freight rate made by a railroad company, all the surrounding circumstances and conditions must be considered as well as the rights of the shipper, and if these circumstances and conditions are so compulsory or imperious that they fairly and justly exercise any controlling influence in the making of the rate, they can not be disregarded in a proceeding in which the reasonableness and justness of the rate is presented for determination.

The words "substantially similar circumstances and conditions," as found in the second and fourth sections of the act to regulate commerce, in certain important particulars define the rights and duties of carriers and the rights of shippers as well. For example: If the carrier claims to act under the compulsion of circumstances and conditions of his own creation or connivance in the making of an exceptional rate, then these will not avail him. Or if the carrier claims to act under a compulsion of circumstances and conditions in the making of an exceptional rate which he could obviate by reasonably fair and just exertion on his part, then they will not avail him. But if the carrier is in good faith acting under a compulsion of circumstances and conditions beyond his control, not of his own connivance, and which he could not obviate by any reasonably fair and just effort on his part, and to avoid large loss adopts exceptional rates on a portion of his line, not unreasonable in themselves, and forced upon him by the action of an independent State railroad, which is not subject to the act to regulate commerce, and which is operating a slightly shorter and competing line with his own, these are circumstances and conditions under the operation of the statute which justify him in adopting such exceptional rates thus forced upon him on this portion of his line.

When a carrier, acting in good faith, has adopted an exceptional rate, not unreasonable in itself, on a portion of its line, because that rate has been forced upon it by an independent State railroad company in direct competition with it and not subject to the act to regulate commerce, the reasonableness and justness of rates on other portions of the carrier's line, extending into a far interior region of the country where no such conditions exist, can not be measured, alone, by the standard thus furnished, but must be governed by considerations which fairly and justly apply to them.

The exceptional conditions of railroad transportation in proximity to the water-ways of the great lakes, Michigan and Superior, and of rival competing railway lines operating between the ports on these lakes, as to the method of grouping stations under the combined effect of the competition of these water-ways and of the fourth section of the act to regulate commerce, are found and stated by the

Commission in this proceeding, citing and approving the Manufacturers and Jobbers' Union of La Crosse against the Chicago, Milwaukee and Saint Paul Railway Company (1 Interstate Commerce Commission Reports, page 632).

The conditions of transportation on that portion of defendant's lines in a broad extent of far interior country where it is in competition with other great rival railway lines extending to Lake Michigan ports, while that of the defendant extends to Lake Superior ports, and the relation of each, arising therefrom, examined, found and considered by the Commission.

The act to regulate commerce was not enacted to destroy competition, and the establishment of the rule of the rate per ton per mile, insisted upon by the complainant, would have very much the effect of practically making the rates charged for a long distance at the stations along the line of the defendant and its great rivals, the Chicago, Milwaukee and Saint Paul Railway and the Minneapolis and Saint Louis Railway, in the nature of strict mileage rates, thereby destroying competition to a large extent at these stations, unsettling the business of their shippers, conferring upon them no practical benefits, and loading the business of the carrier and the shipper at every such station with a multitude of infinitesimal fractions nowhere known in the business of railroads.

Elaborate tariffs of rates, the result of competition, made by one of several great railway systems, all competing for the business of a large extent of territory, are examined and considered in connection with those of its competitors, and with a view not to break down the legitimate competition thus existing, whereby rates are cheapened to the public generally, and these railways are correspondingly benefited in performing the work for which they were chartered and constructed.

The Business Men's Association of the State of Minnesota v. The Chicago and Northwestern Railway Company.

The circumstances and conditions as to the transportation of freight on the line of the defendant between Chicago and Saint Peter, on the one hand, and between Saint Peter and Pierre on the other, found, examined, and considered by the Commission, and held to be substantially dissimilar upon the facts set forth in the report and findings in this proceeding.

The rule of the rate per ton per mile decreasing for the greater distance while the rate is increasing in the aggregate, examined and discussed by the Commission in its application to the present proceeding, and held to be inapplicable.

The difference between the cost of service by which the local business of this railroad and its through business is done relatively, examined and considered by the Commission so far as they are involved in this proceeding.

Comparison of rates charged by railroad companies under circumstances and conditions substantially dissimilar really prove nothing, and can not be adopted as standards in arriving at the reasonableness and justness of rates.

Exceptional cases of rates made lower than other rates by a carrier on one portion of its line by the action of a competitor, and in which it is without fault itself under the operation of the act to regulate commerce, can not be adopted as the standard as to other rates

upon a far distant portion of its line where no such exceptional conditions exist, and the reasonableness of its rates must be determined by altogether different considerations.

Where the evidence adduced in a proceeding like this fails to establish grounds relied upon, as stated in the complaint, and upon which it is heard and tried before the Commission by the parties and their counsel, and to which the evidence is directed, but shows that upon a portion of its line, as for example between Saint Peter, in the State of Minnesota, and Pierre, in the Territory of Dakota, that the rates are made upon a basis which seems to grade them with large differences between stations contiguous to each other, and the grounds assigned for this by the carrier are the additional cost of service incident to operating a new line through a thinly-inhabited and but little cultivated country, with very light traffic, and in which the transportation is seriously impeded by snow-blockades, and where the coal used for fuel in operating the trains has to be brought by the carrier a distance of nearly 500 miles, but the evidence is not given with that fullness of detail which should sustain such extra rates of charge, the Commission, while it will not hold the rates to be unreasonable, will, also, not hold that they are reasonable, but will investigate this question in a separate proceeding under the statute by which all the parties in interest will have an opportunity to be fully heard, and can bring forward all the evidence upon a subject that is important and involving valuable rights, alike to the public and to the carrier.

When, in a proceeding such as this, evidence is introduced by a party and he is permitted to do so for the single purpose of the bearing it may have upon the reasonableness of the rate, which would be inadmissible for any other purpose, and it tends to show a difference of rates of the carrier by which a combination could be made of those rates upon the different tariffs that would be improper and unjust, the carrier not being allowed to controvert it upon the hearing, as to any other feature, except so far as it had a bearing upon the reasonableness of rates, because it would involve a collateral inquiry, the Commission will not determine this collateral inquiry or the question it presents until an opportunity has been furnished the parties to be heard in a proceeding such as is provided for by the statute. For example: where the complaint of the petitioner makes no allegation that under the tariffs of the carrier freight may be shipped from Chicago to Saint Peter at one rate, there unloaded, and then subsequently re-shipped from Saint Peter to each of the stations between Saint Peter and Pierre at a rate which, added to the rate from Chicago to Saint Peter, is considerably less than the direct rate from Chicago to each of these stations, but on the hearing the complainant is allowed to introduce evidence upon this subject simply for the purpose of showing that the rates between Saint Peter and Pierre are unreasonable and for no other purpose, the carrier having at the time the complaint was made a number of tariffs, as follows: a distance tariff for the State of Illinois, a distance tariff for the State of Wisconsin, a distance tariff for the State of Minnesota, a distance tariff for the Territory of Dakota, local tariffs to and from all points on its line in each of the States through which it passes and the Territory of Dakota, and a tariff from and to Chicago and all points along its line, extending to Pierre, a distance of 781 miles.

William O. Scofield, Daniel Shurmer, John Teagle, and Charles W. Scofield, partners under the firm name and style of Scofield, Shurmer & Teagle; James R. Timmins and Andrew R. Timmins, partners under the firm name and style of J. R. Timmins and & Co.; Christian J. Werwage, doing business under the name and style of The Manufacturer's Oil Company; John W. Fawcett and Thomas F. Wright, partners under the name and style of J. W. Fawcett & Co.; Alfred Whitaker, doing business under the name and style of The Brooks Oil Company; William F. Vliet, Willard L. Nutt, and Martin P. Case, partners under the name and style of Vliet, Nutt & Co.; W. Carroll Lawrence, Felix Burgert, Henry C. Meyers, and August E. Schade, partners under the name and style of The Merchants' Oil Company; The Excelsior Refining Company, a corporation organized under the laws of Ohio; The Globe Oil Company, a corporation organized under the laws of Ohio; The Cleveland Refining Company, a corporation organized under the laws of Ohio; Louis C. Carran, doing business under the name and style of L. C. Carran & Company, *v.* The Lake Shore and Michigan Southern Railway Company.

Upon the facts of this case it is found, and held, that there is an unlawful preference given by the carrier, in favor of oil shipments in tank-car lots, as against like shipments in barrels car-load lots, which is ordered to be corrected, and the mode prescribed by which this must be done, giving equal rates on each per pound.

It is a common law and charter duty of every railway carrier subject to the act to regulate commerce to furnish a proper and adequate car equipment for all the reasonable needs of the business it advertises and undertakes to do, and if the carrier fails to do this, to the wrongful injury of the shipper, it is liable in damages therefor, but the statute has not clothed the Interstate-Commerce Commission with the jurisdiction to order the carrier to furnish any particular equipment of cars, or in fact any cars at all. It is the duty of such carrier to select and furnish its own equipment of cars, under all the responsibility which the law requires of it in so vital and important a matter, for the public has not undertaken to divide responsibility with the carrier in this respect.

The law does not forbid a carrier from obtaining cars for the transportation of freight over its line from other carriers or car-furnishing companies, but in every such instance the rates of freight must be exactly the same, and none other, as they would be if such cars were owned by the carrier so using them.

The law does not forbid a carrier from obtaining cars from a shipper for the transportation of such shipper's freight over its line, but in every such instance, after deducting a reasonable rent published in the tariff as part of the rate and paid by the carrier to the shippers for the use of such cars, the rates must be exactly the same, and none other, as upon freight transported in the same service in the carrier's own cars; and in every such transaction the carrier, at his peril, must see to it that a shipper furnishing his own cars receives no other or different rates than other shippers who use the cars of the carrier for a similar service.

To render a preference of one over another unlawful, under the act to regulate commerce, it is not necessary that it should be accomplished by any "device," and it is equally true that the ingenuity of man can not invent a "device" for the perpetration of an unlawful preference on the part of a carrier engaged in interstate commerce, without incurring the penalties prescribed by the statute.

In this particular instance, on account of the phenomenal differences in expense of service rendered, the exceptionally high rates on oil in barrels less than car-load lots as compared with oil in car-load lots are sustained, but the defendant and all other carriers engaged in interstate commerce are notified that there seems to be too great a tendency on their part to make excessive differences in favor of all shipments generally in car-load lots as against shipments of similar articles in less than car-load lots, and that it would be well for each of them to look to their tariffs in this respect, before the Commission takes further action on this subject.

Frank L. Hurlburt v. The Lake Shore and Michigan Southern Railway Company.

In a proceeding to correct a classification of freight made by the initial carrier, which freight before reaching its destination must pass over the roads of several carriers, it is proper to make all such carriers parties; but if the initial carrier alone is made defendant, the proceeding is not for that reason defective. An order requiring that carrier to make the correction will be effectual for the purposes of all subsequent consignments, and there is no difficulty in its being complied with without asking the consent of others.

Persons having an interest in a question pending before the Commission will be allowed to appear and be heard when the case is being submitted, without their being made formal parties.

Assurances made by a carrier that if one will locate in business on the line of its road his property shall be taken for transportation as belonging to a specified class can not bind the carrier so as to compel a classification accordingly. A right to special rates can not be made out in that way; the classification must have the same construction in favor of all persons; the law requires uniformity and impartiality in the dealings of a carrier with all persons.

The railway officials who have made a classification can not testify to their understanding of its construction. A classification sheet is put before the public for general information; it is supposed to be expressed in plain terms so that the ordinary business man can understand it, and in connection with the rate sheets can determine for himself what he can be lawfully charged for transportation. The persons who prepared the classification have no more authority to construe it than anybody else, and they must leave it to speak for itself.

It is competent to prove by the testimony of witnesses in what sense terms of art or terms peculiar to any occupation or business are used by those engaged in such occupation or business. But when such terms are made use of in a classification sheet to designate the product of a particular employment, they are supposed to be used as understood in that employment, and it is not competent for railroad experts, when the meaning of the classification is in question, to testify in what sense they are understood in transportation circles.

Under a classification which puts lumber in car-load lots in the sixth class, and unfinished wagon materials in the fifth class, it is held that hub blocks which are prepared as such to be sold to the manufacturers of hubs and of wheeled vehicles, but upon which only so much labor has been expended as is needful to put them in condition for seasoning, are to be regarded as the raw material upon

which the process or manufacture of hubs is not yet begun, just as boards are the raw material from which wagon boxes are made. The blocks belong, therefore, when not otherwise specified, in the classification sheet with lumber, instead of with unfinished wagon materials.

John W. S. Brady and George T. Parkhurst, partners, trading under the firm name of J. Parkhurst & Co., *v.* The Pennsylvania Railroad Company, the Pennsylvania Company, the Pittsburgh, Cincinnati and Saint Louis Railway Company.

John Henry Nicolai, trading as "Eagle Oil Works," *v.* The Pennsylvania Railroad Company, the Pennsylvania Company, the Pittsburgh, Cincinnati and Saint Louis Railway Company.

Through and continuous lines imply through rates, which must be reasonable rates.

When railroad companies make a through and continuous line and offer it for the use of the public, they can not rid themselves of responsibility for unjust charges by breaking the haul in two and calling themselves carriers on the separate ends of their through line.

The Pennsylvania Railroad Company operates a part of a through line which it joins in making, and owns a controlling interest in the capital stock of the Pittsburgh, Cincinnati and Saint Louis Railway Company, by which the other part is operated.

Held, That the Pennsylvania Railroad Company can not free itself from the responsibility of excessive through rates by getting behind the corporate existence of the other company as a separate carrier.

The apportionment of rates to different parts of a through line does not determine the charge to the public but may be significant on the question of reasonable rates for the whole distance.

The danger from transportation of oil through Pittsburgh when apportioned upon all the business is deemed so unimportant as not to materially affect the rates which should be charged.

The New Jersey Fruit Exchange v. The Central Railroad Company of New Jersey and the Lehigh Valley Railroad Company.

Rates for the transportation of fruit. The traffic originates in the State of New Jersey, and is destined to the city of New York. But the delivery by the defendants to the consignees is made at Jersey City, in New Jersey, and the rates of defendants are made not to New York, but to Jersey City. Under these facts, the traffic, so far as defendants conduct it, is not interstate, and the Commission has no jurisdiction over their rates.

As to certain traffic originating in New Jersey and destined to Pennsylvania, it is held that the showing is too indefinite for any conclusion.

The Lincoln Board of Trade v. The Burlington and Missouri River Railroad Company in Nebraska, and the Chicago, Burlington and Quincy Railroad Company.

Municipal subscriptions or gratuities do not affect the question of undue preference under section 3 of the act to regulate commerce.

Disparity in existing rates to Lincoln and to Omaha found to correspond so closely with the difference in distance that no change is required upon that ground.

Principle that the ratio of rates should decrease with increase of distance conceded, but modifying conditions often exist; some of them stated; as applied to the facts in this case no change in rates required.

Lincoln is not naturally entitled to the same rates from Chicago as Omaha, and if such rates were conceded Omaha would probably have a valid ground of complaint.

The Kentucky and Indiana Bridge Company v. The Louisville and Nashville Railroad Company.

The Kentucky and Indiana Bridge Company has the chartered powers of a common carrier and is such *de facto*. It is therefore, under the act to regulate commerce, entitled to demand of railroad companies whose lines are intersected by its tracks the same reasonable, proper, and equal facilities for the interchange of traffic and for the receiving, forwarding, and delivering of property that may lawfully be demanded by other carriers under that act.

The Louisville and Nashville Railroad Company united with other companies having lines terminating on the Ohio River at or opposite Louisville in a contract, whereby it was agreed that all their business across the river at that point should be taken over the Louisville bridge. The Louisville Bridge Company was a party to the contract, and the tolls were dependent on the amount of business done and were diminished as the debt of the bridge company was paid off from funds derived from tolls. A new bridge being constructed over the river at this point, one of the railroad companies which had contracted to take all its business over the old bridge transferred the business to the new bridge. The Louisville and Nashville Railroad Company thereupon refused to receive for transportation over its line any freights which had been brought over the new bridge in violation of the contract made with it.

Held, that this refusal was unlawful.

A common carrier by rail to which property is offered for transportation can not in this indirect manner, and by refusal to perform obligations imposed by law upon it, enforce its contracts, but must for that purpose resort to the customary remedies.

Nor can a common carrier, as a reason for refusal to afford to another common carrier the customary reasonable and equal facilities for the interchange of traffic, assign the fact that such other common carrier supplies no public necessity, the public having been fully accommodated without it. All railroads created by competent public authority must be conclusively presumed to be public conveniences, and other common carriers can not refuse to exchange traffic with them on any suggestion or showing to the contrary.

The fact that statutory regulations of internal commerce are such as to preclude the literal enforcement of pre-existing contracts does not affect their validity or make them in a constitutional sense laws impairing the obligation of contracts. Such a consequence is often a necessary result of any considerable change in the general laws, and must be submitted to as such.

When a question of rates as between two carriers is involved, the Commission will express no opinion upon it in a case to which one of the carriers is not a party.

The Lincoln Board of Trade v. The Union Pacific Railway Company, and the Southern Pacific Railway Company.

The grounds of complaint stated in the petition having been obviated by changes in the rate sheets, the Commission abstains from any expression of opinion upon them.

The case above entitled was heard at Lincoln, Nebr., March 21 and 22, 1888, where voluminous testimony was taken. The following cases were heard with it:

I. **Friend & Son v. The Southern Pacific Company, the Denver and Rio Grande Railway Company, and the Burlington and Missouri River Railroad Company.**

Raymond Brothers & Co. v. The Chicago, Burlington and Quincy Railroad Company, the Denver and Rio Grande Railway Company, the Denver and Rio Grande Western Railway Company, and the Southern Pacific Company.

Plummer, Perry & Co. v. The Union Pacific Railway Company, and the Southern Pacific Railway Company. Two cases.

The Lincoln Board of Trade v. The Burlington and Missouri River Railroad Company in Nebraska, the Chicago, Burlington and Quincy Railroad Company, the Denver and Rio Grande Railway Company, the Denver and Rio Grande Western Railway Company, and the Southern Pacific Railway Company.

The Lincoln Board of Trade v. The Missouri Pacific Railway Company.

Distance by shortest route is properly to be considered in determining the propriety of rates by a longer competing line.

Rates from Saint Louis to Omaha a little higher than those charged to Lincoln, which is a trifle less distance upon a branch line, sustained under the peculiar circumstances of the case.

Consideration should be had of consequences which might follow a modification of the principle upon which the rates complained of are constructed.

The general plan upon which rates are constructed from Chicago and Saint Louis to Missouri River points and interior Nebraska points approved, no better system being as yet suggested. Difficulties which might result from throwing this system into confusion stated.

The operation of the fourth section of the act controls the extent to which Missouri River rates extend into the interior of Nebraska and Kansas; Lincoln and other towns lying west of that line must accept their geographical situation and its consequences.

The Delaware State Grange of the Patrons of Husbandry v. The New York, Philadelphia and Norfolk Railroad Company, et al.

The Commission is liberal in allowing amendments to complaints, but will not allow one that would be in effect making a new case.

Amendment is not necessary to bring in matters that would have been the subject of proof under the complaint as originally filed.

A case involving local rates ordered to be heard before the Commission at a central point in the territory immediately affected by the rates.

In the matter of the Chicago, Saint Paul and Kansas City Railway Company.

A railroad company which, for cases not apparently affected by water competition or by the competition of carriers not subject to the act to regulate commerce, had issued rate sheets which in many cases made for the transportation of like freights the greater charge for the shorter haul on the same line in the same direction, the shorter being included in the longer distance, was called upon to justify such rate sheets at a public hearing.

Notice ordered to be published of such hearing, that competing carriers and the public generally might have opportunity to attend and be heard.

The showing by respondent that a competitor for business between the termini of its line makes charges for the transportation of freight which are below what are reasonable and just to the carrier itself, does not alone make out the dissimilar circumstances and conditions entitling the respondent to make charges for the transportation of freights from one terminus to an intermediate station which are greater than those made for the transportation of like freights from the same terminus to the other.

The provision in the first section of the act to regulate commerce, that "all charges made for any service rendered, or to be rendered, in the transportation of passengers or property, or in connection therewith, or for the receiving, delivering, storage, or handling of such property shall be reasonable and just, and every unjust and unreasonable charge for such service is prohibited and declared to be unlawful," does not render rates that are unreasonably low illegal in a sense that will authorize the Commission to prohibit their being made.

The Commission has no power to order rates to be increased upon the ground that they are so low that persistence in making them would be ruinous.

Congress, in the provision above recited regarding rates, was legislating for the protection of the general public, and not for the protection of the carriers against the unreasonable action of their own officers, or against excessive competition. The act to regulate commerce assumes that the carriers, in their power to make rates, have ample remedy to protect against rates which are unreasonably low.

A leading purpose of the act to regulate commerce is to prevent the giving of unjust preferences and advantages, as between localities, in railroad transportation. This purpose would be defeated if any one carrier by making unreasonably low rates to any locality, would thereby entitle all other carriers competing with it to make on their lines greater charges upon the shorter hauls to other stations than were made over the same line in the same direction to the locality thus favored.

Nathaniel W. Howell, Hiram A. Pooler, Charles M. Thompson, Cornelius B. Wood, and A. T. Moshier, as a committee of the farmers and milk-producers of Orange County, New York, *v.* The New York, Lake Erie and Western Railroad Company, the New York, Ontario and Western Railway Company, the New York, Susquehanna and

Western Railroad Company, and the Lehigh and Hudson River Railway Company.

A question of reasonable rates can not be properly decided without full knowledge of all the facts concerning the particular traffic in question and its relations to the other traffic of the carrier. Some of the elements stated which are necessary and proper to be considered.

Proof that certain rates are very profitable to the road, and that they are higher than the rates charged on certain other somewhat similar commodities, is not of itself a sufficient ground for determining either that such rates are unjust, or what rates would be just and reasonable for the traffic in question.

Case retained for further showing upon the question of the reasonableness of the rates charged for transportation of milk and cream from producing points to Jersey City.

Grouped rates not peculiar to milk traffic. Other instances stated and distinguished.

Transportation of milk an exceedingly peculiar kind of traffic. Time of the first importance. Arrangements stated by means of which the delivery of a regular daily supply to all consumers in large cities is accomplished. The elements of extra expense are substantially the same upon milk transported from every part of the line of road over which the special milk train runs.

Grouping of milk rates over large extent of territory not shown to injuriously affect the producers who complain; their product is not reduced in value, nor is any part of it left unsold, while the requirements of consumers demand a steadily increasing area of supply.

Prejudice and advantage become undue and unreasonable when the results are such as to effect some tangible injury to the complaining party. Without some proof of damage resulting to complainants, an advantage in rates as related to distance is not necessarily undue or unreasonable, no substantial difference in expense appearing to exist.

The existing arrangement by which the same rate is charged for the transportation of milk from all points reached by the regular daily milk trains of the defendant roads found to be not illegal, and on the whole to be the best system that can be devised for the general good of all interested parties.

A considerable additional expense, such as is involved in the collection of milk beyond the end of the route of the milk train, is a fact in consideration of which a somewhat higher rate would be just, and is perhaps necessary, in order to properly equalize the proportionate privileges of the traffic.

The Spartanburg Board of Trade *v.* The Richmond and Danville Railroad Company, the Central Railroad and Banking Company of Georgia, the Louisville and Nashville Railroad Company, the Augusta and Knoxville Railroad Company, the Port Royal and Augusta Railroad Company, the Port Royal and Western Carolina Railroad Company, the Ohio and Mississippi Railway Company, the Nashville, Chattanooga and Saint Louis Railway Company, the Saint Louis, Iron Mountain and Southern Railway Company, the Chicago, Saint Louis and Pittsburgh Railroad Company, the Jeffersonville, Madison and Indianapolis Railroad Company, the Cincin-

nati, Hamilton and Dayton Railroad Company, the Cincinnati Southern Railroad Company, the East Tennessee, Virginia and Georgia Railway Company, the Western and Atlantic Railroad Company, the Western North Carolina Railroad Company, the Asheville and Spartanburg Railroad Company, the Georgia Railroad Company, the Illinois Central Railroad Company, and the Cincinnati, Indianapolis, Saint Louis and Chicago Railway Company.

The Commission is not willing to determine the relative reasonableness of rates at many stations, and in a large extent of territory, upon the mere face of tariffs and without further proof.

Where it is obvious that there are many parties interested as directly as is the complainant in the question before the Commission, opportunity will be given them to appear on the taking of evidence.

Where on a question of rates it appears that higher rates are made upon the shorter hauls on the same line and in the same direction, the carrier making them must take the burden of proof to show their reasonableness.

A case finally submitted without evidence ordered adjourned to a future day for the purpose of taking evidence on the principle above stated.

C. H. Griffée v. The Burlington and Missouri River Railroad Company in Nebraska, and also as lessee of the Atchison and Nebraska Railway.

The offense under section 2 of the act to regulate commerce of giving free transportation to an individual consists in the charging, demanding, collecting, or receiving by the carrier from some other person or persons a compensation for a like service when none is contemporaneously charged or received from the person thus transported free.

Where a free pass was given to a discharged employé of the company on the assumption that he might still be regarded as an employé, but it affirmatively appeared that it was never used, and that it expired in the hands of the party to whom it was issued by a limitation contained on its face, and was produced before the Commission as an unused instrument in a proceeding in which a complaint of its issue was made, *held*, that the facts did not show that a breach of the third section of the act had been committed, no free transportation whatever having been had, and the party being entitled to none according to the terms of the instrument as it then was.

The Detroit Board of Trade and the Detroit Merchants and Manufacturers' Exchange v. The Grand Trunk Railway of Canada and the New York Central and Hudson River Railroad Company.

When freight, for example grain, is hauled to the sea-board for export, or to New England points, from the Northwestern States and Territories of the American Union; or when freight is hauled from the sea-board, or New England points, to the Northwestern States or Territories through the cities of Detroit and Chicago, the rule invoked by the petitioners in this case as a basis of relief, namely, that an estimated portion of this through rate as between the points of origin of the freight and Detroit must not be lower in proportion to distance than the rate upon the freight from such points of origin destined to Detroit, is one that can not be sustained.

Rates must be relatively fair and reasonable as between localities in essential respects similarly situated, not according to any rule of mathematical precision, but in substance and in fact, having regard to the geographical and relative positions of the localities, so that one will not be favored to the unjust prejudice of the other. Where a system of rates is made by a number of carriers covering a widely-extended territory which seem to be reasonable in themselves and relatively fair, so far as the evidence in this case shows, the Commission will not order them to be changed at one important point, thereby rendering other changes unavoidable at a large number of other points, and throwing the rates of the entire system into confusion and unsettling values, unless a case arises in which it is necessary that this should be done in order to enforce compliance with the law and to reach the ends of substantial justice.

In the matter of the Tariffs of the Trans-Continental Lines.

Rates that are just and reasonable from selected manufacturing points, through the entire territory east of the Missouri River and west of the Atlantic sea-board, are prima facie just and reasonable from all other points in the same territory.

A tariff naming a rate from one locality lower than that enjoyed by its neighbor, when the circumstances are the same, tenders a preference or advantage to the first; and when any shipper is damaged by the exaction of an additional burden the preference becomes undue and unreasonable, unless it can be justified upon some sound and substantial ground.

Common carriers are under obligations to take all descriptions of ordinary traffic from all points, and it is right that the rates should be known and announced publicly in advance of the offering of traffic.

Under the act to regulate commerce shippers are not to be put in a position of subserviency to common carriers, nor required to ask for rates, but are entitled to equal and open rates at all times.

Discriminations are made and undue advantages are given by the special tariffs in question, in giving different rates to places named and those not named; to manufactured articles named and those not named; to jobbers at places named and those not named; to manufacturers and to jobbers and other dealers.

James C. Savery & Co., doing business under the name of the American Emigrant Company, v. The New York Central and Hudson River Railroad Company, the New York, West Shore and Buffalo Railway Company, the New York, Ontario and Western Railway Company, the New York, Lake Erie and Western Railroad Company, the Delaware, Lackawanna and Western Railroad Company, the Pennsylvania Railroad Company, and the Baltimore and Ohio Railroad Company.

The matter of the reception of immigrants at the port of New York having been put by the laws of the State under the control of a board of commissioners of emigration, and that board having made such regulations as it has deemed desirable for the protection of the immigrants until they are ticketed and put on board railroad trains for their respective ultimate destinations, and the Federal Government, through its legislative and executive departments,

having sanctioned the control by the commissioners of emigration, the Interstate-Commerce Commission has no authority to interfere with their regulations.

Not having the authority to interfere directly and control the commissioners of emigration, it can not do so indirectly by inhibiting the railroad companies from carrying out the arrangements made by the commissioners with them.

There is nothing illegal or wrongful in a railroad company making a rate for immigrants as a class, and declining to give the same rate to others for whom different accommodations are furnished.

A railroad company which transports immigrants in unfit cars will be required to provide better accommodations, and to ascertain their fitness the Commission will make its own inspection.

The rates complained of in this case as excessive were voluntarily reduced pending the proceedings.

James F. Slater *v.* The Northern Pacific Railroad Company.

A complaint made for the purpose of retaliation for a fancied wrong, as to get even with a carrier for the revocation of complainant's pass, does not commend itself to the Commission.

A carrier which has conformed to the ruling of the Commission should not be prosecuted for alleged violations of law in that respect which have occurred before such ruling was made and under a construction of the law then approved by the carrier's counsel.

Free transportation issued in the form of an annual pass to a person not in the regular and stated service of the carrier nor receiving any wages or salary under a contract of employment, but requested by him as compensation for throwing in its way what business he conveniently could, *held* to be illegal.

In the matter of Relative Tank and Barrel Rates on Oil.

In deciding a case against one or more carriers who are charged with making rates which are unjustly discriminating in a certain line of traffic, the decision made upon the facts of the particular case does not necessarily govern rates in other sections of the country where the facts bearing upon them may be altogether different.

In cases against carriers who were charged with discriminating unjustly in their rates as against those shipping petroleum and its products in barrels in favor of those who shipped in tank cars, the evidence among other things showed that in the territory served by the defendants the shipment in barrels was most dangerous, and also that when shipment was in tanks there was greater likelihood of return loads. The difference in rates made by the carriers was considerable; the Commission equalized this, but still permitted a charge for the weight of the barrel.

In the same cases it was incidentally made to appear that on the Pennsylvania system of roads some of the conditions affecting rates on this traffic were the reverse of those above stated, and the rates had therefore been made the same by quantity, whether the shipment was in tanks or in barrels. On the decision above referred to being made the rates on barrel oil were raised by the managers of the Pennsylvania system so as to include a charge for the weight of the barrel. This was claimed to be done in order to come into conformity with the action of the Commission.

Held, That the action was unwarranted. A decision on facts does not establish a principle to govern where the facts are different, and no facts which had been laid before the Commission would have authorized a ruling raising the rates on the Pennsylvania roads on barrel oil, either absolutely or relatively.

The New Orleans Cotton Exchange v. The Cincinnati, New Orleans and Texas Pacific Railway Company, the Alabama Great Southern Railroad Company, the Vicksburg and Meridian Railroad Company, the Vicksburg, Shreveport and Pacific Railroad Company, and the New Orleans and North Eastern Railroad Company.

To correctly estimate the causes influencing the movement of cotton and the falling off in the proportion of the crop received at New Orleans in recent years, the rail lines of transportation constructed, improved methods, and new conditions must be taken into account. Whether railroad companies combine or act separately in making rates and charges is not so important, the essential requirement is that, however made, they shall be reasonable of themselves and so fairly adjusted as to be reasonable in their relations to each other and in their results.

That under like conditions freight can be carried proportionally lower for long than short distances is as nearly settled as anything relating to railroad charges can be. Equal mileage rates would often prevent legitimate competition and give a monopoly in transportation to the best and shortest road.

The reasonableness of rates can not be fairly determined in a proceeding to which some of the parties responsible for such rates are not parties.

Commerce between points in the same State, but which in being carried from one place to the other passes through another State, is interstate commerce, and subject to regulation by the provisions of the act to regulate commerce.

In determining what are reasonable rates, the fact that a road earns little more than operating expenses is not to be overlooked, but it can not be made to justify grossly excessive rates. Wherever there are more roads than the business at fair rates will remunerate, they must rely upon future earnings for the return of investments and profits.

To be reasonable, the rate from Meridian to New Orleans should not exceed \$1.50 per bale, compressed cotton.

APPENDIX C.

EXTRACTS FROM DOCKET AND RECORDS OF COMMISSION, SHOWING COMPLAINTS PENDING DURING THE YEAR UNDER SECTION 13 OF THE ACT TO REGULATE COMMERCE, AND DISPOSITION OR PRESENT CONDITION OF EACH.

4. Nathaniel W. Howell, Hiram A. Pooler, Charles M. Thompson, Cornelius B. Wood, and A. T. Moshier, residents and tax-payers of Orange County, New York, representing the farmers and milk producers of said county, *against* New York, Lake Erie and Western Railroad Company; New York, Ontario and Western Railroad Company; New York, Susquehanna and Western Railroad Company; Lehigh and Hudson River Railway Company:

Complaint alleges violation of sections 1, 2, and 3 of the act, in the transportation of milk from points in southern New York to Jersey City.

Apr. 23, 1887. Complaint filed.

May 17 to June 2, 1887. Answers filed.

July 13, 1887. Hearing commenced and postponed.

Oct. 13, 1887. Hearing. Leave to file briefs granted.

Dec. 1, 1887. Time to file briefs further extended.

Mar. 7 to May 13, 1888. Briefs filed.

Opinion by Walker, Commissioner. (2 I. C. C. Repts., p. 272.)
Complainants granted leave to produce additional evidence upon the reasonableness of the rates complained of; but as to the allegation that, in charging the same rate on milk transportation to all points reached by the regular daily milk trains upon their several roads the defendants contravene the provisions of the statute, the complaint is held to be not sustained.

8. Associated Wholesale Grocers of Saint Louis *against* Missouri Pacific Railway Company:

Complaint alleges violation of sections 1 and 2 of the act in the matter of greater charges upon merchandise shipped in small quantities than upon car-load lots.

May 21, 1887. Complaint filed.

June 11, 1887. Answer filed.

July 21, 1887. Hearing.

By consent of parties decision postponed until other cases presenting the same question should also be heard. (*See* Nos. 65, 66, 67.)

22. Street's Stable Car Line and John W. Street *against* Atchison, Topeka and Santa Fé Railroad Company and fifty-three others:

Complaint alleges extortion, discrimination, and failure to provide and furnish suitable live-stock cars to shippers.

June 3, 1887. Complaint filed.

June 15, 1887. Further proceedings suspended by request of complainants.

24. B. S. Crews, J. E. Schoolfield, and D. S. Overbey, individually and as members of the committee on transportation of the Danville Chamber of Commerce, *against* Richmond and Danville Railroad Company; Virginia Midland Railroad, controlled and operated by the Richmond and Danville Railroad Company:

Complaint alleges excessive freight charges and discrimination against Danville, Va.

June 8, 1887. Complaint filed.

July 18, 1887. Answer filed.

Nov. 14, 15, 1887. Hearing on depositions, oral testimony, and arguments.

Dec. 1, 1887. Case under advisement.

Opinion by Cooley, chairman (1 I. C. C. Repts., p. 401).

Complaint dismissed.

33. Armour and Company *against* Chicago and Grand Trunk Railway Company:

Complaint alleges excessive, unjust, and unreasonable rates on dressed beef, sheep, and hogs, and meat provisions.

June 16, 1887. Complaint filed.

July 9, 1887. Answer filed.

Nov. 10, 1887. Leave to file amended petition granted.

Jan. 11, 1888. Complaint withdrawn by the petitioners.

34. Swift and Company *against* Chicago and Grand Trunk Railway Company:

Complaint alleges excessive, unjust, and unreasonable rates on dressed beef, sheep, and hogs, and meat provisions.

June 16, 1887. Complaint filed.

July 9, 1887. Answer filed.

Nov. 10, 1887. Leave to file amended petition granted.

Jan. 11, 1888. Complaint withdrawn by the petitioners.

35. Armour and Company *against* Lake Shore and Michigan Southern Railway Company:

Complaint alleges excessive, unjust, and unreasonable rates on dressed beef, sheep, and hogs, and meat provisions.

June 16, 1887. Complaint filed.

July 6, 1887. Answer filed.

Nov. 10, 1887. Leave to file amended petition granted.

Jan. 11, 1888. Complaint withdrawn by the petitioners.

36. Nelson Morris and Company *against* Lake Shore and Michigan Southern Railway Company :

Complaint alleges excessive, unjust, and unreasonable rates on dressed beef, sheep, and hogs, and meat provisions.

June 16, 1887. Complaint filed.

July 6, 1887. Answer filed.

Nov. 10, 1887. Leave to file amended petition granted.

Jan. 11, 1888. Complaint withdrawn by the petitioners.

39. George H. Hammond and Company *against* Michigan Central Railroad Company :

Complaint alleges excessive, unjust, and unreasonable rates on dressed beef, sheep, and hogs, and meat provisions.

June 16, 1887. Complaint filed.

July 9, 1887. Answer filed.

Nov. 10, 1887. Leave to file amended petition granted.

Jan. 11, 1888. Complaint withdrawn by the petitioners.

40. East Saint Louis Dressed Beef and Canning Company *against* Indianapolis and Saint Louis Railway Company :

Complaint alleges excessive, unjust, and unreasonable rates on dressed beef, sheep, and hogs, and meat provisions.

June 16, 1887. Complaint filed.

July 12, 1887. Answer filed.

Nov. 10, 1887. Leave to file amended petition granted.

Jan. 11, 1888. Complaint withdrawn by the petitioners.

41. Western and Atlantic Railroad Company *against* East Tennessee, Virginia and Georgia Railway Company :

Complaint alleges violation of section 3 of the act.

June 17, 1887. Complaint filed.

June 30, 1887. Proceedings suspended by request of petitioner.

43. I. Friend & Son *against* Southern Pacific Company; Denver and Rio Grande Railway Company; Burlington and Missouri River Railroad in Nebraska :

Complaint alleges excessive freight charges and violations of sections 3 and 4 of the act.

June 24, 1887. Complaint filed.

July 14 to 19, 1887. Answers filed.

Oct. 13, 1887. Hearing postponed by request of complainants' counsel.

Feb. 25, 1888. Case assigned for hearing March 21, 1888, at Lincoln, Nebr.

Mar. 21, 22, 1888. Hearing.

By the Commission. (2 I. C. C. Repts., p. 229.)

Leave granted to withdraw the petition. (See Nos. 80, 82, 94, 95, 96, 117.)

46. W. H. Heard *against* Georgia Railroad Company:

Complaint alleges unjust discrimination (colored passenger).

July 6, 1887. Complaint filed.

Aug. 4, 1887. Answer filed.

Nov. 30, 1887. Case assigned for hearing December 15, 1887.

Dec. 15, 1887. Hearing.

Opinion by Schoonmaker, Commissioner (1 I. C. C. Repts., p. 428.)

Defendant ordered to cease and desist from subjecting colored passengers to undue and unreasonable prejudice and disadvantage.

51. George Rice *against* Louisville and Nashville Railroad Company:

Complaint alleges excessive freight charges, undue and unreasonable prejudice and disadvantages against complainant in favor of the Standard Oil Company, and violation of section 4 of the act.

July 22, 1887. Complaint filed.

Aug. 15, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

Defendant ordered to cease and desist from making any higher charge for the transportation by the hundred pounds of petroleum oils in barrels, in car-load lots, including the barrels, than it contemporaneously makes for the transportation by the hundred pounds of such oils in tanks; from making uniform rates for the transportation of petroleum oils by the tank car irrespective of the weight or quantity when the capacity of the tank cars in use on its line is not uniform or substantially so; and from further giving undue and unreasonable preference and advantage to the Standard Oil Company of Kentucky and others shipping oil in tanks over complainants and others shipping oil in barrels.

52. George Rice *against* Saint Louis, Iron Mountain and Southern Railway Company:

Complaint alleges excessive freight charges, discrimination, and undue and unreasonable prejudice and disadvantages against complainant in favor of the Waters-Pierce Oil Company.

July 22, 1887. Complaint filed.

Aug. 11, 1887. Answer filed.

Nov. 21-27, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

Defendant ordered to cease and desist from making any higher charge for the transportation by the hundred pounds of petroleum oils in barrels, in car-load lots, including the barrels, than it contemporaneously makes for the transportation by the hundred pounds of such oils in tanks; and from further

giving undue and unreasonable preference to the Waters-Pierce Oil Company of Saint Louis, Mo., and others shipping oil in tanks over complainant and others shipping oil in barrels.

53. George Rice *against* Mobile and Ohio Railroad Company:

Complaint alleges excessive freight charge and violation of section 4 of the act.

July 22, 1887. Complaint filed.

Aug. 10, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

No order made.

55. George Rice *against* Cincinnati, New Orleans and Texas Pacific Railway Company:

Complaint alleges excessive freight charges and discrimination and undue and unreasonable prejudice and disadvantages against complainant in favor of the Standard Oil Company.

July 22, 1887. Complaint filed.

Aug. 15, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

Same disposition and order as No. 51.

56. George Rice *against* Cincinnati, New Orleans and Texas Pacific Railway Company; Alabama Great Southern Railroad Company:

Complaint alleges excessive freight charges, and undue and unreasonable prejudice and disadvantages against complainant in favor of the Standard Oil Company, and violation of section 4 of the act.

July 22, 1887. Complaint filed.

Aug. 15, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

Same disposition and order as No. 51.

57. George Rice *against* Mississippi and Tennessee Railroad Company:

Complaint alleges excessive freight charges.

July 22, 1887. Complaint filed.

Aug. 9, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

No order made.

58. George Rice *against* Newport News and Mississippi Valley Company and the Louisville, New Orleans and Texas Railroad Company :

Complaint alleges excessive freight charges, and undue and unreasonable prejudice and disadvantages against complainant in favor of Standard Oil Company.

July 22, 1887. Complaint filed.

Aug. 25, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

Same disposition and order as No. 51.

59. George Rice *against* Newport News and Mississippi Valley Company and Illinois Central Railroad Company :

Complaint alleges excessive freight charges, and undue and unreasonable prejudice and disadvantages against complainant in favor of the Standard Oil Company.

July 22, 1887. Complaint filed.

Aug. 25, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Reports, p. 503.)

Same disposition and order as No. 51.

60. George Rice *against* Illinois Central Railroad Company :

Complaint alleges excessive freight charges and violation of section 4.

July 22, 1887. Complaint filed.

Aug. 15, 1887. Answer filed.

Nov. 21-28, 1887. Hearing. Continued to January 16, 1888, for argument.

Jan. 16, 17, 18, 1888. Hearing concluded.

Opinion by Cooley, Chairman. (1 I. C. C. Repts., p. 503.)

No order made.

61. Boston Chamber of Commerce *against* Lake Shore and Michigan Southern Railway Company; New York Central and Hudson River Railroad Company; Boston and Albany Railroad Company :

Complaint alleges unjust, unreasonable, unequal, discriminating, and unduly preferential rates, on flour, grain, provisions, and produce from Chicago to Boston, and from Chicago and

Buffalo and intermediate points to New York and Boston, discriminating in favor of New York. Also discrimination in favor of goods shipped to Boston for export, as against goods shipped to Boston for local consumption or disposition. Also between goods shipped to Boston and thence to points in Maine east of Portland, and goods shipped to Boston for shipment by rail or water to other points.

July 22, 1887. Complaint filed.

Sept. 3-5, 1887. Answer filed.

Oct. 27-28, 1887. Hearing.

Nov. 17, 1887. Arguments.

Dec. 1, 1887. Under advisement by Commission.

Opinion by Schoonmaker, Commissioner. (1 I. C. C. Repts., p. 436.)

Complaint dismissed.

62. Boston Chamber of Commerce *against* Lake Shore and Michigan Southern Railway Company;

Complaint alleges as in No. 61, so far as it relates to transportation over defendant's road between Chicago and Buffalo and intermediate points.

July 22, 1887. Complaint filed.

Sept. 3, 1887. Answer filed.

Oct. 27-28, 1887. Hearing.

Nov. 17, 1887. Argument.

Dec. 1, 1887. Under advisement by Commission.

Opinion by Schoonmaker, Commissioner. (1 I. C. C. Repts., p. 436.)

Same disposition as of No. 61.

63. Boston Chamber of Commerce *against* New York Central and Hudson River Railroad Company:

Complaint alleges as in No. 61, so far as it relates to transportation over defendant's road between Buffalo and Albany.

July 22, 1887. Complaint filed.

Sept. 2, 1887. Answer filed.

Oct. 27-28, 1887. Hearing.

Nov. 17, 1887. Arguments.

Dec. 1, 1887. Under advisement by Commission.

Opinion by Schoonmaker, Commissioner. (1 I. C. C. Repts., p. 436.)

Same disposition as of No. 61.

65. F. B. Thurber, M. N. Day, E. A. Doty, H. K. Miller, W. B. Timms, B. F. Shores, committee, representing the Board of Trade and Transportation of New York, *against* New York Central and Hudson River Railroad Company; New York, Lake Erie and Western Railroad Company; Delaware, Lackawanna, and Western Railroad Company; Pennsylvania Railroad Company; Baltimore and Ohio Railroad Company:

Complaint alleges violation of sections 1 and 3 of the act, by placing less than car-load quantities in a higher class than car loads.

Aug. 1, 1887. Complaint filed.
 Aug. 20, 1887. Answers filed. Various protests, remonstrances, and petitions filed.
 Oct. 25, 1887. Hearing postponed to December 13, 1887, at complainant's request.
 Dec. 8, 1887. Hearing postponed to January 24, 1888, on stipulation of parties.
 Dec. 28, 1887. Amendment to petition filed.
 Jan. 24-28, 1888. Hearing.
 July 11-Oct. 12, 1888. Briefs filed for complainants and intervening parties.
 Nov. 30, 1888. Briefs filed for defendants.
 Dec. 1, 1888. Under advisement by Commission.

66. Thomas L. Greene, of New York, on behalf of himself and others, *against* New York Central and Hudson River Railroad Company; Delaware, Lackawanna and Western Railroad Company; Pennsylvania Railroad Company; Baltimore and Ohio Railroad Company, New York, Lake Erie and Western Railroad Company.

Complaint alleges violation of the act, by placing less than car-loads in a higher class than car loads.

Aug. 1, 1887. Complaint filed.
 Aug. 20, 1887. Answer filed.
 Oct. 25, 1887. Hearing postponed to December 13, 1887, at complainant's request.
 Dec. 8, 1887. Hearing postponed to January 24, 1888, on stipulation of parties.
 Dec. 28, 1887. Amendment to petition filed.
 Jan. 24-28, 1888. Hearing.
 July 11-Oct. 12, 1888. Briefs filed for complainants and intervening parties.
 Nov. 30, 1888. Brief filed for defendants.
 Dec. 1, 1888. Under advisement by Commission.

67. Francis H. Leggett & Co. of the city of New York, *against* Baltimore and Ohio Railroad Company; Pennsylvania Railroad Company; Delaware, Lackawanna and Western Railroad Company; New York, Lake Erie and Western Railroad Company; New York Central and Hudson River Railroad Company:

Complaint alleges violations of sections 2 and 3 of the act, by placing less than car-loads in a higher class than car-loads.

Aug. 1, 1887. Complaint filed.
 Aug. 20, 1887. Answers filed.
 Oct. 25, 1887. Hearing postponed to December 13, 1887, at complainant's request.
 Dec. 8, 1887. Hearing postponed to January 24, 1888, on stipulation of parties.
 Dec. 28, 1887. Amendment to petition filed.
 Jan. 24-28, 1888. Hearing.
 July 11-Oct. 12, 1888. Briefs filed for complainants and intervening parties.
 Nov. 30, 1888. Brief filed for defendants.
 Dec. 1, 1888. Under advisement by Commission.

70. Thomas W. Ayers and Theron E. Fell, doing business at Castle Rock, Oregon, under the firm-name of Ayers & Fell, *against* Union Pacific Railway Company and Oregon Railway and Navigation Company :

Complaint alleges violation of sections 1 and 6 of the act on shipments of wool from Wallula, Oregon.

Aug. 9, 1887. Complaint filed.

Sept. 2-10, 1887. Answers filed.

Oct. 15, 1887. Hearing postponed until after Dec. 5, 1887, on stipulation of counsel for respective parties.

Dec. 20, 1887. Case assigned for hearing Jan. 31, 1888.

Jan. 17, 1888. Case settled by agreement of parties.

73. H. F. Ketron *against* Norfolk and Western Railroad Company :

Complaint alleges excessive freight charge; detention of freight, with unnecessary length of haul.

Sept. 3, 1887. Complaint filed.

Sept. 15, 1887. Answer filed.

Oct. 27, 1887. Hearing indefinitely postponed, pending proposed settlement.

April 19, 1888. Notice having been filed by the defendant that the petitioner's claim had been satisfied, the complaint was dismissed.

74. Business Men's Association of the State of Minnesota *against* Chicago and Northwestern Railway Company :

Complaint alleges violation of sections 1 and 3 of the act.

Sept. 3, 1887. Complaint filed.

Sept. 22, 1887. Answer filed.

Nov. 14, 1887. Hearing postponed indefinitely on request of petitioner.

Feb. 25, 1888. Case assigned for hearing Mar. 19, 1888, at Omaha, Nebr.

Mar. 19, 1888. Hearing.

Opinion by Bragg, Commissioner (2 I. C. C. Repts., p. 73).

Complaint dismissed.

75. Business Men's Association of the State of Minnesota *against* Chicago, Saint Paul, Minneapolis and Omaha Railway Company :

Complaint alleges violation of sections 1 and 3 of the act.

Sept. 3, 1887. Complaint filed.

Sept. 30, 1887. Answer filed.

Nov. 14, 1887. Hearing postponed indefinitely on request of petitioner.

Feb. 25, 1888. Case assigned for hearing March 19, 1888, at Omaha, Nebr.

Mar. 19, 1888. Hearing.

Opinion by Bragg, Commissioner (2 I. C. C. Repts., p. 52.)

Complaint dismissed.

76. Manufacturers' and Jobbers' Union, of Mankato, Minn., *against* Minneapolis and Saint Louis Railway Company:

Complaint alleges discrimination in rates against Mankato and points on defendant's branch line, the Wisconsin, Minnesota and Pacific Railroad west of Waterville, in favor of Red Wing and points on same line east of Waterville, on freight from Chicago carried over its main line and connections to Waterville, and thence over said branch line to destination, Mankato being nearer Chicago than Red Wing. Also alleges excessive rates to Mankato as compared with those to Minneapolis.

Sept. 5, 1887. Complaint filed.

Sept. 16, 1887. Case heard at Saint Paul, Minn., September 16, 1887, by consent of parties, without filing formal answer.

Report by Bragg, Commissioner. (1 I. C. C. Repts., p. 227).

The defendant having reduced its rates after the trial to the sum asked by the petition, no further proceedings considered necessary.

Nov. 13, 1888. Amended petition filed against the defendant and the Chicago, Rock Island and Pacific Railway Company; the Kankakee and Seneca Railroad Company; the Burlington, Cedar Rapids and Northern Railroad Company.

77. James C. Savery & Co., doing business under the name of the American Emigrant Company, *against* New York Central and Hudson River Railroad Company; New York, West Shore and Buffalo Railway Company; New York, Ontario and Western Railway Company; New York, Lake Erie and Western Railroad Company; Delaware, Lackawanna and Western Railroad Company; Pennsylvania Railroad Company; Baltimore and Ohio Railroad Company:

Complaint alleges violation of sections 1, 2, and 3 of the act in the transportation of emigrants.

Sept. 5, 1887. Complaint filed.

Oct. 1-31, 1887. Answers filed.

Jan. 17, 1888. Case assigned for hearing February 7, 1888, at New York, N. Y.

Feb. 2, 1888. Hearing continued to February 21, 1888.

Feb. 17, 1888. Hearing continued to February 28, 1888.

Feb. 28 to Mar. 2, 1888. Hearing.

June 28, 1888. Case assigned for supplemental hearing July 11, 1888, at Elberon, N. J.

July 11-12, 1888. Supplemental hearing.

July 12. Briefs filed.

Opinion by Cooley, Chairman. (2 I. C. C. Repts., p. 338.)

Complaint dismissed. (See No. 114.)

78. John D. Heck and L. J. A. Petree *against* East Tennessee, Virginia and Georgia Railway Company; Knoxville and Ohio Railroad Company; Richmond and Danville Railroad Company; Richmond and West Point Terminal and Warehouse Company; Coal Creek and New River Railroad Company:

Complaint alleges undue and unreasonable preferences to Coal Creek Mining and Manufacturing Company and refusal to transport complainants' coal.

Sept. 8, 1887. Complaint filed.

Sept. 21-27, 1887. Answers filed.

Oct. 31, 1887. Case assigned for hearing December 9, 1887.

Dec. 9, 1887. Hearing. Complaint dismissed as to the defendants, the Richmond and Danville Railroad Company and the Richmond and West Point Terminal and Warehouse Company.

Opinion by Morrison, Commissioner. (1 I. C. C. Repts., p. 495.)

Defendants ordered to cease and desist from refusing to receive coal for interstate transportation when tendered by complainants, and henceforward to receive and forward coal on just, reasonable, and equal terms when so tendered for transportation on any part of the line of the Coal Creek and New River Railroad.

79. Lopez, Dunbar's Sons & Co. *against* Louisville and Nashville Railroad Company :

Complaint alleges unjust discrimination on pails from Cincinnati to Biloxi, Miss., as compared with the rate to New Orleans, 80 miles farther ; also, violation of section 4.

Sept. 22, 1887. Complaint filed.

Oct. 13, 1887. Answer filed.

Nov. 3, 1887. Replication filed.

Nov. 16, 1887. Hearing.

Dec. 1, 1887. Under advisement by the Commission.

80. Raymond Bros. & Co. *against* Burlington and Missouri River Railroad and its owner the Chicago, Burlington and Quincy Railroad Company; Denver and Rio Grande Railway Company; Denver and Rio Grande Western Railway Company; Southern Pacific Company:

Complaint alleges violation of sections 1, 2, 3, 4, 6, and 7 of the act, in the transportation of canned goods from San Francisco to Lincoln, Nebr.

Sept. 22, 1887. Complaint filed.

Oct. 11-19, 1887. Answers filed.

Feb. 25, 1888. Case assigned for hearing March 21, 1888, at Lincoln, Nebr.

Mar. 21-22, 1888. Hearing.

By the Commission. (2 I. C. C. Repts, p. 229.)

Leave granted to withdraw the petition. (See Nos. 43, 82, 94, 95, 96, 117.)

81. William C. Scofield, Daniel Shurmer, John Teagle, and Charles W. Scofield, partners, under the firm name and style of Scofield, Shurmer & Teagle; James R. Timmins and Andrew R. Timmins, partners, under the name and style of J. R. Timmins & Co.; Christian J. Werwage, doing business under the name and style of The Manufacturers' Oil Company; John W. Fawcett and Thomas F. Wright, partners under the name and style of J. W. Fawcett & Co.; Alfred Whitaker, doing business under the name and style of The Brooks Oil Company; William F. Vliet, Willard L. Nutt, and Martin P.

Case, partners, under the name and style of Vliet, Nutt & Co.; W. Carroll Lawrence, Felix Burgert, Henry C. Meyers, and August E. Schade, partners, under the name and style of The Merchants' Oil Company; The Excelsior Refining Company, a corporation organized under the laws of Ohio; The Globe Oil Company, a corporation organized under the laws of Ohio; The Cleveland Refining Company, a corporation organized under the laws of Ohio; Lewis C. Carran, doing business under the name and style of L. C. Carran & Co., *against* Lake Shore and Michigan Southern Railway Company:

Complaint alleges excessive, unjust, and unreasonable rates on petroleum in less than car-loads as compared with car-loads, and in car-loads as compared with tank cars, shipped from Cleveland to points named; insufficient floor capacity of cars; refusal to furnish tank cars; allowance of rebate to shippers in tank cars of $\frac{3}{4}$ cent per mile for each car, which rebate, with the less charge for transportation in tank cars than in barrels, constitutes undue and unreasonable prejudice and disadvantage to said traffic in barrels; discrimination in favor of Standard Oil Company.

Sept. 27, 1887. Complaint filed.

Oct. 17, 1887. Answer filed.

Nov. 12, 1887. Hearing indefinitely postponed on stipulation or counsel for respective parties.

Dec. 20, 1887. Case assigned for hearing January 18, 1888.

Jan. 18, 19, 20, 1888. Hearing. Continued for argument to a day to be hereafter named.

April 12, 1888. Case assigned for the hearing of argument May 2, 1888.

April 27 to May 2, 1888. Briefs filed.

May 2, 1888. Hearing of arguments.

Opinion by Bragg, Commissioner. (2 I. C. C. Repts., p. 90.)

Defendant ordered to charge the same rates on oil shipped in barrels, in car-load lots, in stock cars or other cars, that it charges upon oil in tanks, by the pound and not by the barrel.

82. Plumner, Perry & Co. *against* Union Pacific Railway Company; Southern Pacific Railway Company:

Complaint alleges violation of sections 1, 2, 3, 6, and 7 of the act in the transportation of canned goods from San Francisco to Lincoln, Nebr.

Oct. 3, 1887. Complaint filed.

Oct. 24 to Nov. 10, 1887. Answers filed.

Feb. 25, 1888. Case assigned for hearing March 21, 1888, at Lincoln, Nebr.

Mar. 21-22, 1888. Hearing.

By the Commission. (2 I. C. C. Repts., p. 229.)

Leave granted to withdraw the petition. (See Nos. 43, 80, 94, 95, 96, 117.)

83. John H. Martin and M. H. Martin *against* Southern Pacific Company; Central Pacific Railroad Company; Union Pacific Railway Company:

Complaint alleges violation of section 4 of the act in charging a greater sum on the like kind of property from San Francisco to Denver than from San Francisco to Kansas City and Omaha.

Oct. 4, 1887. Complaint filed.

Oct. 24 to Nov. 10, 1887. Answers filed.

Nov. 11, 1887. Case assigned for hearing December 16, 1887.

Dec. 16, 17, 19, 1887. Hearing.

Opinion by Walker, Commissioner. (2 I. C. C. Repts., p. 1.)

Complaint sustained.

May 17, 1888. Proceedings suspended for a period of sixty days, pending revision of rates.

July 19, 1888. Proceedings further suspended.

Oct. 24, 1888. In consideration of the amended tariffs put in force by defendants on September 1, 1888, no further order will be made in this case unless further proceedings should be found necessary hereafter. (See No. 152.)

84. W. B. Farrar & Co. *against* East Tennessee, Virginia and Georgia Railway Company; Norfolk and Western Railroad Company:

Complaint alleges excessive freight rates on lumber.

Oct. 12, 1887. Complaint filed.

Nov. 2-28, 1887. Answers filed.

Dec. 20, 1887. Case assigned for hearing January 11, 1888.

Jan. 11, 1888. Hearing.

Opinion by Bragg, Commissioner. (1 I. C. C. Repts., p. 480.)

Defendant ordered to cease charging 22 cents per hundred pounds on lumber, in car-load lots, from Dalton, Ga., to Roanoke and Lynchburgh, Va., and in lieu thereof it must not charge exceeding 17 cents per hundred pounds on lumber, in car-load lots, from Dalton to Roanoke, and not exceeding 18 cents per hundred pounds on lumber in car-load lots from Dalton to Lynchburgh.

85. James Pyle & Sons *against* East Tennessee, Virginia and Georgia Railway Company:

Complaint alleges discrimination, and undue and unreasonable disadvantage in the classification of "pearline."

Oct. 14, 1887. Complaint filed.

Nov. 2, 1887. Answer filed.

Nov. 11, 1887. Case assigned for hearing December 8, 1887.

Dec. 8, 1887. Hearing.

Opinion by Bragg, Commissioner. (1 I. C. C. Repts., p. 465.)

Defendant ordered to discontinue its rates of 73 cents per 100 pounds on shipments of Pearline from New York City to Atlanta, and in lieu thereof it must not charge a rate exceeding 60 cents per 100 pounds. It was also ordered that the all-rail rates on Pearline and common soap, in any quantity, of 32 cents on Pearline and 20 cents on common soap per 100

pounds for 100 miles, and 49 cents on Pearline and 38 cents on common soap per 100 pounds for 500 miles, and other proportionate distances, should in their relative differences be maintained; and that while a special rate of 33 cents per 100 pounds is maintained on common soap, Pearline must be in the fifth class of defendants and of the Southern Railway and Steamship Association.

86. T. J. Reynolds *against* Western New York and Pennsylvania Railroad Company:

Complaint alleges violation of sections 1 and 2 of the act in the transportation of railroad ties.

Oct. 17, 1887. Complaint filed.

Nov. 5, 1887. Answer filed.

Nov. 11, 1887. Case assigned for hearing December 7, 1887.

Dec. 7, 1887. Hearing.

Opinion by Walker, Commissioner. (1 I. C. C. Repts., p. 393.) Defendants ordered to cease and desist from charging a greater price for the transportation of railroad ties from points in the State of Pennsylvania to Salamanca and Olean, in the State of New York, than is charged at the same time for the transportation of lumber between the same points.

87. Riddle, Dean & Co. *against* Baltimore and Ohio Railroad Company:

Complaint alleges discrimination in the transportation of coal by refusing to furnish complainants' mines their daily proportion of cars and furnishing cars to those of others.

Oct. 19, 1887. Complaint filed.

Nov. 10, 1887. Complaint refiled.

Dec. 1, 1887. Answer filed.

Jan. 16, 1888. Case assigned for hearing January 31, 1888.

Jan. 31, Feb. 1, 1888. Hearing.

Opinion by Bragg, Commissioner. (1 I. C. C. Repts., p. 608.) Complaint dismissed.

88. Riddle, Dean & Co. *against* Pittsburgh and Lake Erie Railroad Company, operating the Pittsburgh, McKeesport and Youghiogheny Railroad:

Complaint alleges violation of section 3 of the act in the transportation of coal.

Oct. 19, 1887. Complaint filed.

Nov. 7, 1887. Answer filed.

Nov. 11, 1887. Case assigned for hearing December 6, 1887.

Dec. 6, 1887. Hearing. Continued to December 8, 1887.

Dec. 8, 1887. Hearing concluded.

Opinion by Bragg, Commissioner. (1 I. C. C. Repts., p. 374.) Complaint dismissed.

Feb. 1, 1888. Application for a rehearing filed by petitioners.

Opinion by Bragg, Commissioner, on application for rehearing. (1 I. C. C. Repts., p. 490.)

Application denied.

89. Allegheny River Coal Producers' Association *against* Allegheny Valley Railroad Company.

Complaint alleges discrimination against complainants' coal mines in favor of those at Phillipston and Brady's Bend, in the matter of furnishing cars for the transportation of coal.

Oct. 21, 1887. Complaint filed.

Nov. 12, 1887. Answer filed.

Dec. 20, 1887. Case assigned for hearing January 13, 1888.

Jan. 4, 1888. Complaint withdrawn by petitioner.

90. George Rice *against* Cincinnati, New Orleans and Texas Pacific Railway Company; Alabama Great Southern Railroad Company; New Orleans and Northeastern Railroad Company:

Complaint alleges unjust and unreasonable rates; undue and unreasonable preferences and advantages to Standard Oil Company of Kentucky to complainant's undue and unreasonable prejudice and disadvantage.

Oct. 24, 1887. Complaint filed.

Nov. 17, 1887. Joint answer filed.

Dec. 20, 1887. Case assigned for hearing January 16, 1888.

Jan. 16, 1888. Complaint withdrawn by the petitioner.

91. George Rice *against* Cincinnati, New Orleans and Texas Pacific Railway Company; Alabama Great Southern Railroad Company; Vicksburg and Meridian Railroad Company:

Complaint alleges same as in No. 90.

Oct. 24, 1887. Complaint filed.

Nov. 17, 1887. Joint answer filed.

Dec. 20, 1887. Case assigned for hearing January 16, 1888.

Jan. 16, 1888. Complaint withdrawn by the petitioner.

92. George Rice *against* Cincinnati, New Orleans and Texas Pacific Railway Company; East Tennessee, Virginia and Georgia Railway Company:

Complaint alleges same as in No. 90.

Oct. 24, 1887. Complaint filed.

Nov. 11-19, 1887. Answers filed.

Dec. 20, 1887. Case assigned for hearing, January 16, 1888.

Jan. 16, 1888. Complaint withdrawn by the petitioner.

93. Merchants and Manufacturers' Association of New Orleans, La., *against* Vicksburg, Shreveport and Pacific Railroad Company:

Complaint alleges violation of section 3 of the act by unjust discrimination against the mercantile interests of New Orleans in favor of shippers in New York and Philadelphia.

Nov. 2, 1887. Complaint filed.

Dec. 20, 1887. Case assigned for hearing January 30, 1888.

Jan. 21, 1888. Hearing indefinitely postponed at the request of parties.

Feb. 20, 1888. Case assigned for hearing March 5, 1888.

March 5, 1888. Hearing called and indefinitely postponed on motion of petitioner's counsel.

94. Lincoln Board of Trade *against* Burlington and Missouri River Railroad and its owner the Chicago, Burlington and Quincy Railroad Company; Southern Pacific Railway Company; Denver and Rio Grande Railway Company; Denver and Rio Grande Western Railway Company:

Complaint alleges violation of sections 1, 2, 3, 4, 6, and 7 of the act in the establishment of rates and collection of charges on traffic from Chicago to Lincoln as compared with those from Chicago to Louisville and Omaha; and from San Francisco to Lincoln as compared with those from San Francisco to Omaha and Chicago.

Nov. 11, 1887. Complaint filed.

Dec. 1-20, 1887. Answers filed.

Feb. 5, 1888. Case assigned for hearing March 21, 1888, at Lincoln, Nebr.

Mar. 21-22, 1888. Hearing.

April 15-May 23. Briefs filed.

Opinion by Walker, Commissioner. (2 I. C. C. Repts, p. 147.) In respect to west-bound shipments complained of, complaint held not sustained.

By the Commission. (2 I. C. C. Repts, p. 229.)

No decision concerning east-bound transcontinental rates considered necessary. Leave granted to withdraw that part of the petition. (See Nos. 43, 80, 82, 95, 96, 117.)

95. Lincoln Board of Trade *against* Missouri Pacific Railway Company:

Complaint alleges violations of sections 1, 2, and 3 of the act in the establishment of rates from Saint Louis and Lincoln as compared with those from Saint Louis to adjacent and competing points in Nebraska, also as compared with former rates, and with those from all other points on defendant's lines outside of Nebraska to Lincoln.

Nov. 11, 1887. Complaint filed.

Dec. 13, 1887. Answer filed.

Feb. 25, 1888. Case assigned for hearing March 21, 1888, at Lincoln, Nebr.

Mar. 23, 1888. Hearing.

Apr. 15-May 28, 1888. Briefs filed.

Opinion by Walker, Commissioner. (2 I. C. C. Repts, p. 155.)

Complaint held not sustained. (See Nos. 43, 80, 82, 94, 96, 117.)

96. Plummer Perry & Co. *against* Union Pacific Railway Company and Southern Pacific Railway Company:

Complaint alleges unjust discrimination and undue and unreasonable prejudice against complainants, and against Lincoln, Nebr.; excessive charges; interruption and stoppage of property; and entering into an agreement and combination to evade, disobey, and violate the act to regulate commerce.

Nov. 11, 1887. Complaint filed.

Dec. 1, 1887. Answer of Union Pacific Railway Company filed.

Dec. 20, 1887. Answer of Southern Pacific Company filed.

Feb. 25, 1888. Case assigned for hearing March 21, at Lincoln, Nebr.

March 21-22, 1888. Hearing.

By the Commission. (2 I. C. C. Repts., p. 229.)

Leave granted to withdraw the petition. (See Nos. 43, 80, 82, 94, 95, 117.)

97. New Orleans Cotton Exchange *against* Cincinnati, New Orleans and Texas Pacific Railway Company, or Queen and Crescent Route:

Complaint alleges violation of sections 1, 2, and 3 of the act, favoring Boston and Lowell, Mass., and New York as against New Orleans in the transportation of cotton.

Nov. 11, 1887. Complaint filed.

Nov. 25, 1887. Amended complaint filed.

Dec. 10, 1887. Answer filed.

Feb. 20, 1888. Case assigned for hearing, March 5, 1888.

Mar. 5, 1888. Hearing.

Opinion by Morrison, Commissioner. (2 I. C. C. Repts., —.)

Complaint sustained in respect to rates from Meridian to New Orleans, and reduction of same ordered from \$2 to \$1.50 per bale.

98. Euclid Martin, W. A. L. Gibbon, Robert Easson, and W. F. Griffiths, as committee of freight bureau of the Omaha Board of Trade, *against* Chicago, Burlington and Quincy Railroad Company; Chicago and Northwestern Railway Company; Chicago, Milwaukee and Saint Paul Railway Company; Chicago, Rock Island and Pacific Railway Company:

Complaint alleges unlawful discrimination and undue and unreasonable prejudice and disadvantage against Omaha in favor of Chicago.

Nov. 16, 1887. Complaint filed.

Dec. 14, 15, 1887. Answers filed.

Jan. 21, 1888. Amended complaint filed.

Feb. 2, 1888. Leave granted to petitioners to bring in the Union Pacific Railway Company and the Burlington and Missouri River Railroad Company as defendants.

Feb. 13-21, 1888. Answers filed to amended complaint and by new defendants.

Feb. 25, 1888. Case assigned for hearing March 19, 1888, at Omaha, Nebr.

Mar. 20, 1888. Hearing.

April 10, 1888. Brief for petitioners filed.

Opinion by Cooley, Chairman (2 I. C. C. Repts., p. 25.)

Complaint held not sustained.

99. Riddle Dean & Co. *against* New York, Lake Erie and Western Railroad Company, and lessee of the New York, Pennsylvania and Ohio Railroad ; Pittsburgh and Lake Erie Railroad Company, and lessee of the Pittsburgh, McKeesport and Youghiogheny Railroad :

Complaint alleges stoppage of complainant's coal in transit ; refusal to furnish cars ; withdrawal of joint tariff, and refusing to furnish cars during ten days thereafter ; and advancing rates without ten days' notice, as required by law.

Nov. 26, 1887. Complaint filed.

Dec. 19, 1887, to Jan. 4, 1888. Answers filed.

Jan. 16, 1888. Case assigned for hearing, January 31, 1888.

Jan. 31, 1888, Feb. 1, 1888. Hearing.

Opinion by Walker, Commissioner. (1 I. C. C. Repts., p. 594.)

Defendant found to have violated the provisions of the act in refusing to furnish complainants a fair proportion of cars, and to transport the coal tendered for carriage from the Federal Springs Mines to Cincinnati at the tariff rate of \$1.70 per ton up to November 20, 1887.

100. John Henry Nicolai, trading as Eagle Oil Works, *against* Pennsylvania Railroad Company :

Complaint alleges excessive rates on petroleum.

Nov. 28, 1887. Complaint filed.

Dec. 19, 1887. Answer filed.

Dec. 20, 1887. Case assigned for hearing January 19, 1888.

Jan. 16, 1888. Hearing postponed to January 23, 1888.

January 23, 1888. Hearing.

Feb. 18-21, 1888. Petitioner granted leave to amend the complaint by making the Pennsylvania Company and the Pittsburgh, Cincinnati and Saint Louis Railway Company parties defendant.

Mar. 17, 1888. Amended complaint filed.

Apr. 3, 1888. Answers of new defendants filed.

Apr. 6, 1888. Case assigned for hearing April 24, 1888.

Apr. 24, 1888. Hearing.

Opinion by Morrison, Commissioner. (2 I. C. C. Repts., p. 132.)

Ordered that the defendants, the Pennsylvania Railroad Company and the Pittsburgh, Cincinnati and Saint Louis Railroad Company, cease and desist from charging rates on crude oil from Washington, Pa., to Baltimore, Md., in excess of 40 cents per barrel.

Nov. 17, 1888. Application for rehearing filed by defendants.

101. John W. S. Brady and George T. Parkhurst, jr., co-partners, trading under the firm of J. Parkhurst and Co., *against* Pennsylvania Railroad Company :

Complaint alleges excessive rates on petroleum.

Nov. 28, 1887. Complaint filed.

Dec. 19, 1887. Answer filed.

Dec. 20, 1887. Case assigned for hearing January 19, 1888.

Jan. 16, 1888. Hearing postponed to January 23, 1888.

Jan. 23, 1888. Hearing.

Feb. 19-21, 1888. Petitioners granted leave to amend the complaint by making the Pennsylvania Company and the Pittsburgh, Cincinnati and Saint Louis Railway Company parties defendant.

Mar. 17, 1888. Amended complaint filed.

April 3, 1888. Answers of new defendants filed.

April 6, 1888. Case assigned for hearing April 24, 1888.

April 24, 1888. Hearing.

Opinion by Morrison, Commissioner. (2 I. C. C. Repts., p. 132.)

Same disposition and order as No. 100.

Nov. 17, 1888. Application for rehearing filed by defendant.

102. Delaware State Grange of the Patrons of Husbandry *against* New York, Philadelphia and Norfolk Railroad Company; Delaware Railroad Company; Philadelphia, Wilmington and Baltimore Railroad Company; Pennsylvania Railroad Company:

Complaint alleges unjust and unreasonable charges; granting favors by rebates and false-weight schedules; undue advantage to particular localities, and violation of section 4 of the act in favor of Norfolk, Va., and points south, as against shippers and places in the Delaware peninsula.

Dec. 2, 1887. Complaint filed.

Jan. 11, 1888. Joint answer of defendants filed.

Jan. 12, 1888. Complainant ordered to file specification of the particular instances of violation of law of which it intends to offer evidence under the several paragraphs of its complaint.

Aug. 16, 1888. Specification filed as above ordered.

Aug. 16, 1888. Amendments to petition filed.

Sept. 5, 1888. Case assigned for hearing September 20, 1888, at Dover, Del.

Sept. 12, 1888. Supplemental answers filed.

Sept. 12, 1888. Application by defendants' counsel to strike out the amendments to the petition on file and change the place of hearing denied by the Commission. (2 I. C. C. Repts., p. 309.)

Sept. 20-21, 1888. Hearing at Dover, Del. Continued to October 9, 1888, at Washington, D. C.

Oct. 9-10, 1888. Hearing. Continued to November 20, 1888, for argument.

Nov. 17, 1888. Hearing indefinitely postponed upon request of parties.

103. John H. Walker and others, retail merchants of Rockport, Ind., *against* Baltimore and Ohio Railroad Company; Pennsylvania Railroad Company; Delaware, Lackawanna and Western Railroad Company; New York, Lake Erie and Western Railroad Company; New York Central and Hudson River Railroad Company:

Complaint alleges violation of sections 1, 2, and 3 of the act in placing less than car-load quantities in a higher classification than car-loads.

Dec. 2, 1887. Complaint filed.

Dec. 14, 1887. Defendants' counsel notified that the complaint raises the same question as those in Nos. 65, 66, and 67, and that no answers need be filed unless hereafter required.

104. Marshallville Cider and Vinegar Company *against* Central Railroad of Georgia; Brunswick and Western Railroad Company; Savannah, Florida and Western Railroad Company; South Florida Railroad Company:

Complaint alleges unjust discrimination against complainants in rates from Marshallville, Ga., to Tampa, Fla., a distance of 527 miles, in favor of Macon, Ga., distant from Tampa, Fla., 564 miles.

Dec. 19, 1887. Complaint filed.

Jan. 20-Apr. 5, 1887. Answers filed.

Apr. 6, 1887. Case assigned for hearing April 25, 1888.

Apr. 19, 1887. Complaint withdrawn by the petitioner.

105. R. T. Knowles *against* Ohio and Mississippi Railroad Company:

Complaint alleges unjust charge for cars in transportation of coöperage from Dillsborough, Ind., to Cincinnati, Ohio.

Dec. 19, 1887. Complaint filed.

Jan. 26, 1888. Answer filed.

Feb. 20, 1888. Case assigned for hearing March 9, 1888.

Mar. 9, 1888. Hearing passed.

Apr. 19, 1888. Complaint withdrawn by the petitioner.

106. Detroit Board of Trade and Merchants and Manufacturers' Exchange of Detroit *against* Grand Trunk Railway Company and New York Central and Hudson Railroad Company:

Complaint alleges unjust discrimination against Detroit in favor of Chicago and other through billing points as follows: Freight transported between New York, and sea-board cities, and Chicago, and other through billing points, passing through Detroit over respondent's lines, is proportionately charged to that place 70 per cent. of the Chicago or unit rate, while freight between Detroit and New York, and sea-board cities, over said lines is charged 78 per cent. of the Chicago or unit rate.

Dec. 19, 1887. Complaint filed.

Feb. 16, 1888. Joint answer filed.

July 31, 1888. Case heard at Chicago by agreement of parties.

Opinion by Bragg, Commissioner. (2 I. C. C. Repts., p. 315.)
Complaint dismissed.

107. Saint Joseph and Iowa Railroad Company *against* Terre Haute and Indianapolis Railroad Company:

Complaint alleges violation of section 3 of the act as follows: Refusal of defendant to sell through tickets over its road and complainant's road to points on complainant's road, under an agreement therefor, while, under a like agreement, selling through tickets over its road and those of complainant's competitors to points on said competitors' roads.

Dec. 20, 1887. Complaint filed.

Jan. 17, 1888. Complaint withdrawn by the petitioner.

108. Swift & Co. *against* Chicago and Grand Trunk Railway Company, Grand Trunk Railway Company of Canada, Delaware, Lackawanna and Western Railroad Company.

Complaint alleges unjust and unreasonable freight rates on dressed beef, sheep, and hogs and meat provisions.

Jan. 5, 1888. Complaint filed.

Feb. 14, 1888. Joint answer filed.

June 16, 1888. Complaint withdrawn by the petitioners.

109. East Saint Louis Dressed Beef and Canning Company *against* Indianapolis and Saint Louis Railway Company, Cleveland, Columbus, Cincinnati and Indianapolis Railway Company, New Lake Shore and Michigan Southern Railway Company, New York Central and Hudson River Railroad Company, Boston and Albany Railroad Company :

Complaint alleges unjust and unreasonable freight rates on dressed beef, sheep, and hogs and meat provisions.

Jan. 3, 1888. Complaint filed.

Feb. 13-16, 1888. Answers filed.

June 16, 1888. Complaint withdrawn by the petitioner.

110. Armour and Company *against* Lake Shore and Michigan Southern Railway Company; New York Central and Hudson River Railroad Company :

Complaint alleges excessive, unjust, and unreasonable freight rates on dressed beef, sheep and hogs, and meat provisions.

Jan. 9, 1888. Complaint filed.

Feb. 13-15, 1888. Answers filed.

June 16, 1888. Complaint withdrawn by the petitioners.

111. Nelson Morris and Frank E. Vogel, composing the firm of Nelson Morris & Co. *against* Lake Shore and Southern Michigan Railway Company; New York Central and Hudson River Railroad Company :

Complaint alleges excessive, unjust, and unreasonable freight rates on dressed beef, sheep and hogs, and meat provisions.

Jan. 9, 1888. Complaint filed.

Feb. 13-15, 1888. Answers filed.

June 16, 1888. Complaint withdrawn by the petitioners.

112. George H. Hammond and Company *against* Michigan Central Railroad Company; New York Central and Hudson River Railroad Company :

Complaint alleges excessive, unjust, and unreasonable freight rates on dressed beef, sheep and hogs, and meat provisions.

Jan. 9, 1888. Complaint filed.

Feb. 14, 1888. Joint answer filed.

June 16, 1888. Complaint withdrawn by the petitioners.

113. In the matter of the Express Companies. Does the act to regulate commerce apply to express companies?

July 19, 1887. Circular letter to express companies issued.

Aug. 1, Oct. 1, 1887. Briefs and arguments on behalf of express companies filed.

Oct. 12, 1887. Matter assigned for hearing October 25, 1888.

Oct. 25, 1887. Hearing.

Opinion by Walker, Commissioner. (1 I. C. C. Repts., p. 349.)
No order made.

114. In the matter of the Inland Transportation of Immigrants from the Port of New York:

An investigation by the Commission of the methods employed and the rates charged by railroad companies in respect to the transportation of emigrants from the city of New York to interior western points being unjust, oppressive, and illegal.

Jan. 17, 1888. Investigation ordered and matter assigned for hearing February 7, 1888, at New York, N. Y.

Feb. 2, 1888. Hearing continued to February 21, 1888.

Feb. 17, 1888. Hearing continued to February 28, 1888.

Feb. 28, Mar. 2, 1888. Hearing.

June 28, 1888. Matter assigned for supplemental hearing July 11, 1888, at Elberon, N. J.

July 11-12, 1888. Supplemental hearing.

Opinion by Cooley, Chairman. (2 I. C. C. Repts., p. 338.)
No order made. (See No. 77.)

115. W. J. Hawk *against* Northern Pacific Railroad Company:

Complaint alleges that defendant charged \$1.72 for carrying 25 pounds of powder from Minneapolis, Minn., to Buffalo, Dak.; the same being billed by defendant at 100 pounds, and the said charge being double the first-class rate.

Jan. 24, 1888. Complaint filed.

May 10, 1888. Acknowledgment of satisfaction filed by the complainant.

116. The Beatrice Board of Trade, an association of citizens and merchants of Beatrice, Nebr., against the Union Pacific Railroad Company; Burlington and Missouri River Railroad Company in Nebraska; Chicago, Kansas and Nebraska Railroad Company; Omaha and Republican Valley Railroad Company; Chicago, Burlington and Quincy Railroad Company:

Complaint alleges violation of section 3 of the act by defendants in subjecting Beatrice, Nebr., and its locality to undue and unreasonable prejudice and disadvantage in favor of Omaha, Lincoln, and Hastings, Nebr., and their localities, by reason of fixing and charging a much higher rate or tariff, in proportion to length of haul and actual mileage, from Chicago and Saint Louis to Beatrice, than from those points to Omaha, Lincoln, and Hastings.

Feb. 2, 1888. Complaint filed.

Feb. 20-23, 1888. Answers filed.

Feb. 25. Case assigned for hearing March 21, 1888, at Lincoln, Nebr.

Mar. 23, 1888. Hearing.

Apr. 28, 1888. Brief for petitioner filed.

Dec. 1, 1888. Case under advisement by the Commission.

117. The Lincoln Board of Trade *against* Union Pacific Railway Company; Southern Pacific Railway Company:

Complaint alleges unjust and unreasonable rates, unjust discrimination, undue and unreasonable preference and advantage to firms and localities, and undue and unreasonable prejudice and disadvantage to Lincoln, Nebr., stoppage of freight and prevention of continuous carriage thereof, in the transportation of property from Pacific slope points to Lincoln, Nebr., as follows: Defendants have all-rail lines from said points to Missouri River points and Lincoln; they publish through freight tariffs from said Pacific slope points to said Missouri River points, but do not, in same manner, publish rates to Lincoln; shippers from said Pacific slope points to Lincoln are compelled to ship to Omaha and rebill from that point to destination and pay therefor the rates to Missouri River points plus the local rate from Omaha to Lincoln; the unnecessary haul from Valley to Omaha and return entails actual damage to property, particularly fruit and vegetables.

Feb. 10, 1888. Complaint filed.

Feb. 25, 1888. Case assigned for hearing March 21, 1888, Lincoln, Nebr.

Mar. 2-10, 1888. Answers filed.

Mar. 21, 22, 1888. Hearing.

By the Commission. (2 I. C. C. Repts., p. 229.)

Leave granted to withdraw the complaint. (See Nos. 43, 80, 82, 94, 95, 96.)

118. The Kentucky and Indiana Bridge Company *against* Louisville and Nashville Railroad Company.

Complaint alleges refusal by defendant to interchange traffic or receive and deliver freight to and from complainant's railway bridge line and connections, complainant and defendant having proper and suitable connection at Louisville, Ky., for such interchange, receipt, and delivery.

Feb. 10, 1888. Complaint filed.

Feb. 20, 1888. Answer filed.

Feb. 20, 1888. Case assigned for hearing March 7, 1888.

Mar. 7, 8, 9, 1888. Hearing.

Mar. 17-29, 1888. Briefs filed.

Opinion by Cooley, Chairman. (2 I. C. C. Repts., p. 162.)

Ordered that complaint be held sustained.

Separate opinion by Schoonmaker, Commissioner. (2 I. C. C. Repts., p. 193.)

119. Reuben L. Rice, Joseph C. Robinson, and John W. Witherop, partners, as Rice, Robinson & Witherop, *against* The Western New York and Pennsylvania Railroad Company and G. Clinton Gardner, receiver of the Buffalo, New York and Philadelphia Railroad Company.

Complaint alleges that defendants charge 34 cents per barrel on petroleum from Titusville, Pa., to Buffalo, N. Y., which is claimed to be excessive and unreasonable in itself, while they charge on same from Titusville, Pa., to Perth Amboy, N. J., but 12 cents per barrel, the former haul being included in the latter over the same line; that defendants require 60 barrels to be shipped in each car-load while the floor capacity of the car in use is but 50 barrels; that the rates on petroleum were raised from 25 to 34 cents per barrel at the request and dictation of the Standard Oil Company; and that Buffalo, by reason of the aforesaid rates, is unjustly discriminated against.

Feb. 18, 1888. Complaint filed.

Mar. 10, 1888. Additional complaint filed.

Mar. 22, 1888. Answers to original complaint filed.

Apr. 3, 1888. Answers to additional complaint filed.

Sept. 12, 1888. Case assigned for hearing September 27, 1888.

Sept. 27, 1888. Hearing.

Oct. 12, 1888. Brief for defendant filed.

Dec. 1, 1888. Case under advisement by the Commission.

120. The Chamber of Commerce of the City of Milwaukee *against* The Flint and Pere Marquette Railroad Company and the Detroit, Grand Haven and Milwaukee Railway Company.

Complaint alleges that the defendants made a reduction of 2½ cents per 100 pounds in rates on flour, grain, and mill stuffs from Milwaukee to eastern domestic markets to apply on such property when shipped from Minneapolis, and that they have refused said reduction to Milwaukee shippers. That the rates to New York and Boston on said Minneapolis shipments are, respectively, 23 and 28 cents per 100 pounds, and on Milwaukee shipments the rates are, respectively, 25½ and 30½ cents per 100 pounds.

Feb. 21, 1888. Complaint filed.

Mar. 15, 1888. Joint answer filed.

June 8, 1888. Hearing indefinitely postponed upon request of parties.

Oct. 31, 1888. Case assigned for hearing December 5, 1888.

121. The Chamber of Commerce of the City of Milwaukee *against* The Chicago, Milwaukee and Saint Paul Railway Company, the Chicago and Northwestern Railway Company.

Complaint alleges that defendants refuse to receive bulk grain at Northwestern points for transportation to Milwaukee unless the same is billed to elevators, and that no such restriction is applied to shipments of like property to Chicago; that defendants refuse Milwaukee shippers equal facilities with those of Chicago in the transfer of grain from cars of West-

ern roads to those of Eastern roads in the following particular: that such transfer is made on track at Chicago without charge, but at Milwaukee the grain transfer is required to be made through elevators at a charge of $\frac{1}{2}$ cent per bushel.

Feb. 24, 1888. Complaint filed.

Mar. 19, 1888. Answers filed.

May 14, 1888. Supplemental answer filed by the Chicago, Milwaukee and Saint Paul Railway Company.

June 8, 1888. Hearing indefinitely postponed upon request of parties.

Oct. 31, 1888. Case assigned for hearing December 5, 1888.

122. The Commercial Exchange of Philadelphia *against* The Union Line, the Pittsburgh, Cincinnati and Saint Louis Railway Company, the Pennsylvania Railroad Company:

Complaint alleges that defendants, by "underbilling," have charged, demanded, collected, and received a less compensation for the transportation of grain and feed from points in the States of Ohio, Indiana, and Illinois to the city of Philadelphia than was specified in the published schedule of rates and charges then in force, and that thereby they have given unreasonable preference and advantage to the owners of such grain and feed and subjected other traders in said commodities to undue and unreasonable prejudice and disadvantage.

Feb. 25, 1888. Complaint filed.

Mar. 19, 1888. Joint answer filed.

Apr. 21, 1888. Case assigned for hearing May 15, 1888.

May 7, 1888. Hearing indefinitely postponed at complainant's request. (See Nos. 123, 124, and 125; also *in re Underbilling*.)

123. The Commercial Exchange of Philadelphia *against* The Erie Dispatch, the Cincinnati, Indianapolis, Saint Louis and Chicago Railway Company, the Philadelphia and Reading Railroad Company.

Complaint alleges the same violations of the act that are charged in No. 122.

Feb. 25, 1888. Complaint filed.

Apr. 13-16, 1888. Answers filed.

Apr. 21, 1888. Case assigned for hearing May 15, 1888.

May 7, 1888. Hearing indefinitely postponed at complainant's request. (See Nos. 122, 124, and 125; also *in re Underbilling*.)

124. The Commercial Exchange of Philadelphia *against* The White Line, the Cleveland, Columbus, Cincinnati and Indianapolis Railway Company, the Philadelphia and Reading Railroad Company:

Complaint alleges the same violations of the act that are charged in No. 122.

Feb. 25, 1888. Complaint filed.

Apr. 16, 1888. Answers filed.

Apr. 21, 1888. Case assigned for hearing May 15, 1888.

May 7, 1888. Hearing indefinitely postponed at complainant's request. (See Nos. 122, 123, and 125; also *In re Underbilling*.)

125. The Commercial Exchange of Philadelphia *against* The Nickel Plate Line, the Traders' Dispatch, the Indiana, Bloomington and Western Railway Company, the Philadelphia and Reading Railroad Company:

Complaint alleges the same violations of the act that are charged in No. 122.

Feb. 25, 1888. Complaint filed.

Mar. 17-Apr. 16, 1888. Answers filed.

Apr. 21, 1888. Case assigned for hearing May 15, 1888.

May 7, 1888. Hearing indefinitely postponed at complainant's request. (See Nos. 122, 123, and 124; also *In re Underbilling.*)

126. The Ohio Coal Exchange *against* The Wisconsin Central Railroad Company:

Complaint alleges discrimination in favor of the Block Coal Mines in southern Indiana as against complainant in the transportation of block coal from Danville, Ill., through Chicago to Saint Paul and other points on defendant's line, or accessible therefrom, at a rate which is but 10 cents per ton more than the rate on soft coal from Chicago to said points, while the rate from Danville to Chicago is 50 cents per ton. Complainant having paid local rates on its coal from its mines in Ohio to Chicago, where it is stored for sale and reshipment at the regular rate from Chicago to said points, in competition with said block coal.

Mar. 19, 1888. Complaint filed.

Apr. 6, 1888. Answer filed.

July 2, 1888. Parties filed stipulation to submit case on depositions and printed arguments to be filed.

127. William P. Rend *against* The Chicago and Northwestern Railway Company.

Complaint alleges discrimination in favor of the Wilmington coal fields mines and the Spring Valley mines, each in the State of Illinois, as against complainant, in the transportation of coal to points in Wisconsin, Minnesota, and Dakota, in that the rates for such service are the same from said mines as from Chicago, to which place complainant's coal is shipped from his mines in Pennsylvania and Ohio at regular rates and is there stored for sale and reshipment to said points in competition with said Wilmington and Spring Valley coal.

Mar. 19, 1888. Complaint filed.

Apr. 9, 1888. Answer filed.

July 2, 1888. Parties filed stipulation to submit case on depositions and printed arguments to be filed.

Sept. 14, 1888. Depositions filed.

Sept. 14, Oct. 22, 1888. Briefs filed.

Dec. 1, 1888. Case under advisement.

128. The Michigan Congress Water Company *against* The Chicago and Grand Trunk Railway Company.

Complaint alleges excessive rates on mineral water in tank cars and barrels from Lansing, Mich., to eastern sea-board.

cities; detention of a tank-car load of the same for payment of unjust freight charges; higher rates for the transportation of said water than for a like service on shipments of petroleum and pine oil, and refusal to refund charges paid in excess of printed tariff at date of shipment.

Mar. 26, 1888. Complaint filed.

May 3, 1888. Answer filed.

June 18, 1888. Supplemental complaint filed.

July 13, 1888. Answer to supplemental complaint filed.

Sept. 13, 1888. Case assigned for hearing September 25, 1888.

Sept. 18, 1888. Hearing indefinitely postponed at complainant's request.

129. The Worcester Excursion Car Company *against* The Pennsylvania Railroad Company.

Complaint alleges unjust discrimination and undue prejudice and disadvantage against complainant by reason of defendants hauling the cars of the Pullman Palace Car Company exclusively and refusing to haul those of complainant when offered to defendant; complainant's cars being constructed for similar purposes to those of said Palace Car Company.

Apr. 3, 1888. Complaint filed.

Apr. 24, 1888. Answer filed.

May 24, 1888. Case assigned for hearing June 19, 1888.

June 19, 1888. Hearing and briefs filed.

Dec. 1, 1888. Case under advisement by the Commission.

130. The New York Produce Exchange *against* The New York Central and Hudson River Railroad Company, the Lake Shore and Michigan Southern Railway Company, the Michigan Central Railroad Company, the Chicago and Grand Trunk Railway Company, the Great Western Railway Company of Canada, the New York, Lake Erie and Western Railroad Company, the Chicago and Atlantic Railway Company, the New York, Pennsylvania and Ohio Railroad Company, the New York, Chicago and Saint Louis Railroad Company, the West Shore Railroad Company, the Delaware, Lackawanna and Western Railroad Company, the Grand Trunk Railway Company of Canada, the Pittsburgh, Fort Wayne and Chicago Railway Company, the Pennsylvania Railroad Company, the Pittsburgh, Cincinnati and Saint Louis Railway Company, the Wabash Western Railway Company, the Baltimore and Ohio Railroad Company, the Philadelphia and Reading Railroad Company, the Central Railroad of New Jersey:

Complaint alleges unjust discrimination by defendants by means of underbilling; and that defendants have also charged upon flour, grain, and provisions the schedule rates from Chicago and other western points to New York when delivered for domestic consumption or subsequent export, while other persons are charged a much lower rate, even as low as 50 per cent. thereof, for like and contemporaneous services when the same kind of property was delivered to vessels or steam-ship

lines for shipment to foreign ports under through bills of lading to Europe, issued by defendants, thereby giving undue and unreasonable preference to persons engaged in such shipments to the prejudice of New York firms and consignees, and thereby also charging more for the shorter than the longer distance, in violation of section 4 of the act; also failure to comply with the order of the Commission requiring the publication of rates to the sea-board and a separate statement of ocean rates.

April 18, 1888. Complaint filed.

May 9-29, 1888. Answer filed.

June 13, 14, 1888. Case heard at New York, N. Y., by agreement of parties.

July 14 to Aug. 18, 1888. Briefs filed.

Dec. 1, 1888. Case under advisement by the Commission.

131. Henry McMorran and Edmund B. Harrington, partners doing business under the firm name of McMorran & Co., *against* The Chicago and Grand Trunk Railway Company; The Grand Trunk Railway Company of Canada:

Complaint alleges that defendants' rates of 8 cents per hundred on grain and 10 cents per hundred on flour and feed from Port Huron to Buffalo, a distance of 196 miles, is unjust and unreasonable, while the rates on said articles from Chicago to Port Huron, a distance of 335 miles, is 9 cents per hundred and the through rate from Chicago to Buffalo is 15 cents per hundred, and asks that a reasonable rate be fixed and made to apply on all articles placed in the sixth class alike, such commodities above mentioned being so classed.

April 21, 1888. Complaint filed.

May 28, 1888. Joint answer filed.

May 28, 1888. Case assigned for hearing June 22, 1888.

June 20, 1888. Hearing indefinitely postponed on stipulation of parties.

Nov. 6, 1888. Case assigned for hearing December 11, 1888.

132. T. M. C. Logan, F. D. Babcock, and E. M. Parsons, Committee of the Northwestern Iowa Grain and Stock Shippers' Association, *against* The Chicago and Northwestern Railway Company.

Complaint alleges unjust discrimination and violation of the fourth section of the act as follows: Defendant gives relatively lower rates to Chicago from Carroll and points on its main line and south branches west of Carroll, than it affords to Odebolt, Arthur, and Ida Grove and other points on its north branches; shipments of corn and oats from Nebraska points over defendant's lines to New York and other eastern points are billed to Rochelle and Turner Junction in Illinois, and from thence take the Chicago rate to said eastern points, but such privilege is refused to Iowa stations and such rate is not published thereat; the rates per car on live-stock from River Sioux and other Iowa points on defendant's north branches to Chicago is \$45, while from stations on its main

line and south branches, of relatively the same distance from Chicago, the rate is \$30; defendant's tariff rate on corn and oats from all stations between Carroll and Missouri Valley, inclusive, to New York, via Chicago, is 36.5 cents per 100 pounds, but defendants refused a through rate to New York to complainants from Ida Grove, Arthur, and Odebolt, on its north branches, and instead thereof quoted rates on corn per 100 pounds as follows: Odebolt to Chicago, 20 cents; Arthur and Ida Grove to Chicago, 21 cents; Chicago to New York, 27.5 cents; a difference discriminating against complainants of 11 and 12 cents per 100 pounds, respectively, and which prevented the sale of thousands of bushels of complainant's corn in the New York market.

May 8, 1888. Complaint filed.

June 4, 1888. Answer filed.

July 6, 1888. Case assigned for hearing July 26, 1888, at Du-buque, Iowa.

July 26, 1888. Hearing.

Dec. 1, 1888. Case under advisement by the Commission.

133. Frank L. Hurlburt *against* the Pennsylvania Railroad Company.

Complaint alleges excessive and unreasonable charges in the transportation of rough hub blocks in car-loads, 28,000 pounds minimum weight, at fifth-class instead of sixth-class rates. Also discrimination between rough and manufactured hub blocks, each placed in defendant's fifth class, although their relative value is about 4 and 25 cents per block, respectively, and more than 50 per cent. of the rough blocks is wasted in manufacture.

May 8, 1888. Complaint filed.

May 31, 1888. Answer filed.

June 12, 1888. Case assigned for hearing July 17, 1888.

July 17, 1888. Hearing.

Opinion by Cooley, Chairman. (2 I. C. C. Repts., p. 122.)

Complaint held sustained. (See No. 134.)

134. Frank L. Hurlburt *against* The Lake Shore and Michigan Southern Railway Company.

Complaint alleges excessive and unreasonable charges in the transportation of rough hub blocks in car-loads, 28,000 pounds minimum weight, at fifth-class instead of sixth-class rates. Also discrimination between rough and manufactured hub blocks, each placed in defendant's fifth class, although their relative value is about 4 and 25 cents per block, respectively, and more than 50 per cent. of the rough block is wasted in manufacture.

May 8, 1888. Complaint filed.

June 11, 1888. Answer filed.

June 12, 1888. Case assigned for hearing July 17, 1888.

July 17, 1888. Hearing.

Opinion by Cooley, Chairman. (2 I. C. C. Repts., p. 130.)

Complaint held sustained. (See No. 133.)

135. The Spartanburgh Board of Trade *against* The Richmond and Danville Railroad Company, the Central Railroad of Georgia, the Augusta and Knoxville Railroad Company, the Port Royal and Augusta Railroad Company, the Port Royal and Western Carolina Railroad Company, the Ohio and Mississippi Railway Company, the Nashville, Chattanooga and Saint Louis Railway Company, the Louisville and Nashville Railroad Company, the Saint Louis, Iron Mountain and Southern Railway Company, the Chicago, Saint Louis and Pittsburgh Railroad Company, the Jeffersonville, Madison and Indianapolis Railroad Company, the Cincinnati, Hamilton and Dayton Railroad Company, the Cincinnati Southern Railway Company, the East Tennessee, Virginia and Georgia Railway Company, the Western and Atlantic Railroad Company, the Western North Carolina Railroad Company, the Asheville and Spartanburgh Railroad Company, the Georgia Railroad Company, the Illinois Central Railroad Company, and the Cincinnati, Indianapolis, Saint Louis and Chicago Railroad Company.

Complaint forwarded by the board of railroad commissioners of South Carolina.

Complaint alleges that defendants unjustly discriminate against Spartansburgh, S. C., in fixing rates to Charlotte, N. C., at \$1.05 per 100 pounds, first class, and gradually increasing the same until Spartansburgh, 76 miles distant, is reached, where the rate is placed at \$1.35 per 100 pounds, while from that point to Longview, Ga., a distance of 100 miles, the \$1.35 rate remains stationary, and from Longview to Atlanta it decreases to \$1.14 per 100 pounds; also in rates from western points, as Evansville, Ind., Owensborough and Henderson, Ky., to Spartansburgh, as compared with stations further distant and with Atlanta; and also in rates from Cincinnati, Ohio, Louisville, Ky., and Jeffersonville, Ind., to Spartansburgh, S. C.

May 9, 1888. Complaint filed.

May 31 to June 15, 1888. Answers filed.

June 7, 1888. Complaint withdrawn by the petitioner as against the Central Railroad of Georgia; the Augusta and Knoxville Railroad Company; the Port Royal and Augusta Railroad Company; and the Port Royal and Western Carolina Railroad Company.

July 6, 1888. Case assigned for hearing July 20, 1888.

July 20, 1888. Hearing. Case submitted upon the pleadings and tariffs of defendants on file.

Oct. 8, 1888. Opinion by Bragg, Commissioner. (2 I. C. C. Repts., p. 304.) The petitioner and the defendant, The Richmond and Danville Railroad Company, ordered to take testimony in the case. Case set for further hearing November 20, 1888.

Oct. 17, 1888. Hearing continued to November 27, 1888.

Nov. 20, 1888. Hearing continued indefinitely to await the investigation of tariffs ordered in No. 151.

136. S. F. Woodson, Aaron Haas, and J. G. Oglesby, committee of the Atlanta Chamber of Commerce, *against* The Southern Railway and Steamship Association; the Louisville and Nash-

ville Railroad Company; the Nashville, Chattanooga and Saint Louis Railway Company; the Western and Atlantic Railroad Company; the Georgia Central Railroad Company; the Georgia Railroad Company; the South Carolina Railway Company.

Complaint alleges violation of sections 2 and 3 of the act by defendants in giving undue preference to the merchants of Nashville, Tenn., as compared with the merchants of Atlanta, Ga., and also that the joint tariffs of the Southern Railway and Steam-ship Association unjustly discriminate against Atlanta in favor of competing cities.

May 10, 1888. Complaint filed.

May 19 to June 7, 1888. Answers filed.

June 12, 1888. Case assigned for hearing July 13, 1888.

July 2, 1888. Hearing postponed indefinitely at complainants' request.

137. C. H. Griffie *against* the Burlington and Missouri River Railroad Company in Nebraska, lessee of the Atchison and Nebraska Railway.

Complaint alleges that defendant illegally issued free passes to one O. H. Waite, a passenger, while charging to other persons its regular rates of fare for a like service.

May 10, 1888. Complaint filed.

June 1, 1888. Answer filed.

July 6, 1888. Case assigned for hearing July 27, 1888, at Dubuque, Iowa.

July 27, 1888. Hearing.

Opinion by Schoonmaker, Commissioner. (2 I. C. C. Repts., p. 301.)

Complaint dismissed.

138. The President and Directors of the New Jersey Fruit Exchange *against* The Central Railroad Company of New Jersey and the Lehigh Valley Railroad Company.

Complaint alleges that defendants' charges for the transportation of peaches from Flemington, N. J., and neighboring stations to New York are excessive, unjust, and unreasonable.

May 17, 1888. Complaint filed.

May 29-31, 1888. Answers filed.

June 19, 1888. Case assigned for hearing July 10, 1888, at Elberon, N. J.

July 10-11, 1888. Hearing.

Opinion by Schoonmaker, Commissioner. (2 I. C. C. Repts., p. 142.)

Complaint dismissed.

139. The Imperial Coal Company and Andrews, Hitchcock & Company *against* The Pittsburgh and Lake Erie Railroad Company and the New York Lake and Western Railroad Com-

pany, lessee of the New York, Pennsylvania and Ohio Railroad.

Complaint alleges excessive rates and unjust discrimination in the transportation of coal mined by the Imperial Coal Company at its mines, west of Pittsburgh, and shipped to Cleveland, Ohio, in favor of coal mined east of Pittsburgh and shipped to Cleveland, Ohio.

May 28, 1888. Complaint filed.

June 16-19, 1888. Answers filed.

July 6, 1888. Case assigned for hearing July 18, 1888.

July 18, 1888. Hearing.

Oct. 22, 1888. Parties ordered to take additional testimony by deposition and file the same by December 2, 1888.

140. James F. Slater *against* The Northern Pacific Railroad Company:

Complaint alleges a violation of the act by defendant in the free transportation of one Frederick Fischer, not a railway employé, from Saint Paul, Minn., to Tacoma, Wash. and return.

June 6, 1888. Complaint filed.

June 27, 1888. Answer filed.

July 6, 1888. Case assigned for hearing July 27, 1888, at Dubuque, Iowa.

July 27, 1888. Hearing.

Opinion by Walker, Commissioner. (2 I. C. C. Repts., p. —.)

Ordered that complaint be held not sustained.

141. Campbell & Sydnor *against* The Chicago and Alton Railroad Company:

Complaint alleges greater charges by defendant for the shorter than for the longer haul of the like kind of property over the same line in the same direction, the shorter being included within the longer distance, as follows: Complainants, on February 15, 1888, shipped two car-loads of cattle from Corder, on defendant's main line, upon which defendant's charges were \$47.50 per car and 10 per cent. extra for 35-foot cars, while the regular rate on live-stock from Kansas City, 59 miles west of Corder, on the same line, was \$30 per car-load and 10 per cent. extra for 35-foot cars.

June 11, 1888. Complaint filed.

Oct. 1, 1888. Complaint withdrawn by petitioners.

142. The International Express *against* The Philadelphia and Reading Railroad Company:

Complaint alleges unjust discrimination by defendant in refusing to transport for the International Express the chests of express matter offered by it for shipment over defendant's line unless the same were transferred to the Adams Express Company; and in charging packages of less than 100 pounds weight at 100 pounds, notwithstanding a number of such packages were at one time consigned.

June 12, 1888. Complaint filed.

July 5, 1888. Answer filed.

July 6, 1888. Case assigned for hearing July 19, 1888.

July 18. Supplemental answer filed.
 July 19, 1888. Hearing continued to October 2, 1888.
 Oct. 2, 1888. Hearing indefinitely postponed.
 Oct. 4, 1888. Complaint withdrawn by the petitioner.

143. In the matter of the Chicago, Saint Paul and Kansas City Railway Company :

Notice by the Chicago, Saint Paul and Kansas City Railway Company having been filed with the Interstate Commerce Commission containing a statement that rates have been put in effect on its line between Chicago and Saint Paul which are less than the rates in effect from said cities to intermediate points on the same line, the same is *prima facie* a violation of the fourth section of the act to regulate commerce.

June 6, 1888. Notice filed.

Investigation ordered to be held July 25, 1888, at Dubuque.

July 25, 26, 1888. Hearing.

July 25 to Aug. 21, 1888. Briefs filed.

Opinion by Cooley, chairman. (2 I. C. C. Repts., p. 231.)

Respondent ordered to cease and desist from charging at stations on its line between Chicago, as one terminus, and Saint Paul, Minneapolis, or Minnesota Transfer regarded as the other, for the transportation of freight from either terminus or from any intermediate station, rates which in the aggregate are greater than those contemporaneously charged by it for the transportation of like freights on the same line in the same direction from one terminus of said road to the other.

144. The Board of Trade of the City of Chicago *against* The Chicago and Northwestern Railway Company and The Pennsylvania Company :

Complaint alleges violations of sections 1, 2, and 3 of the act by defendants' unreasonable charges and unjust discrimination against the city of Chicago as a locality and the members of the complainant's association, and that such discrimination is caused by the unjust and unreasonably excessive difference between defendants' joint through tariffs on grain from points in Nebraska to New York and the sum of their local tariffs in force on like traffic from said Nebraska points to Chicago and from Chicago to New York; and that such difference in favor of the through transportation also subjects the city of Chicago to unreasonable and unjust prejudice and disadvantage.

July 23, 1888. Complaint filed.

Aug. 9 to Oct. 22, 1888. Answers filed.

Oct. 20, 1888. Case assigned for hearing December 13, 1888.

Nov. 17, 1888. Hearing indefinitely postponed by agreement of parties.

145. The Board of Trade of the City of Chicago *against* The Chicago, Rock Island and Pacific Railway Company and The Baltimore and Ohio Railroad Company :

Complaint alleges violation of sections 1, 2, and 3 of the act by defendants' unreasonable charges and unjust discrimination

against the city of Chicago as a locality and the members of complainants' association, and that such discrimination is caused by the unjust and unreasonably excessive difference between defendant's joint through tariffs on grain from points in Iowa to Baltimore and the sum of their local tariffs in force on like traffic from said Iowa points to Chicago and from Chicago to Baltimore; and such difference in favor of the through transportation also subjects the city of Chicago to unreasonable and unjust prejudice and disadvantage.

July 23, 1888. Complaint filed.

Aug. 27 to Sept. 14, 1888. Answers filed.

Oct. 20, 1888. Case assigned for hearing December 14, 1888.

Nov. 17, 1888. Hearing indefinitely postponed by agreement of parties.

146. The Little Rock and Memphis Railroad Company *against* The East Tennessee, Virginia and Georgia Railway Company; The Saint Louis, Iron Mountain and Southern Railway Company:

Complaint alleges that the Bald Knob Branch of the Saint Louis, Iron Mountain and Southern Railway, and the Kansas City, Springfield and Memphis Railroad, are competitors of complainant's road, and it further alleges that in violation of the third section of the act to regulate commerce the defendants have withdrawn and discontinued the sale of through tickets over complainant's road between Memphis and western and southern points in Texas and elsewhere, while continuing the sale of through tickets between said points over the competing roads above mentioned.

Aug. 29, 1888. Complaint filed.

Sept. 19-29, 1888. Answers filed.

Oct. 20, 1888. Case assigned for hearing December 11, 1888.

Nov. 14, 1888. Amendment to answer of Saint Louis, Iron Mountain and Southern Railway Company filed.

147. Louisville Southern Railroad Company *against* Louisville and Nashville Railroad Company and Louisville Railway Transfer Company:

Complaint alleges violation of the act to regulate commerce by defendants in refusing to interchange interstate traffic with the complainant at its point of intersection with the line of the defendants in the city of Louisville, in the State of Kentucky.

Aug. 30, 1888. Complaint filed.

Sept. 18, 1888. Joint answer filed.

Sept. 24, 1888. Case assigned for hearing October 16, 1888.

Oct. 10, 1888. Hearing postponed to November 14, 1888.

Nov. 15, 1888. Hearing postponed to January 8, 1889.

Nov. 24, 1888. Leave granted counsel to stipulate a day between January 22, 1889, and January 31, 1889, for the hearing of the case.

148. David Hostetter and Milton L. Myers, partners, engaged in business as Hostetter & Co., *against* The Pennsylvania Company, a corporation of the Commonwealth of Pennsylvania, operating the Pittsburgh, Fort Wayne and Chicago Railroad and other railroads and their branches, the Baltimore and Ohio Railroad Company, the Lake Shore and Michigan Southern Railway Company, the Pittsburgh and Lake Erie Railroad Company, the New York Central and Hudson River Railroad Company, the Allegheny Valley Railroad Company, and the Pennsylvania Railroad Company, all of whom have agencies in Pittsburgh, Pa. :

Complaint alleges that "Hostetter's Stomach Bitters," a proprietary medicine, formerly placed by defendants in class 4 when shipped in car-load lots, and in class 3 when shipped in less than car-load lots, is now wrongfully and in violation of the act to regulate commerce classified by defendants in class 1, without reduction in case of car-load shipments, and that unless released from shortage and damage claims defendants refuse to transport the same unless double rates are paid. And further, that the rates in force under such classification are unjust and unreasonable.

Sept. 12, 1888. Complaint filed.

Oct. 10 to Nov. 8, 1888. Answers filed.

Nov. 15, 1888. Case assigned for hearing January 10, 1889.

149. Mary O. Stone and Thomas Carten, a copartnership doing business under the name of Stone & Carten, *against* The Detroit, Grand Haven and Milwaukee Railway Company :

Complaint alleges that in charging equal rates to Grand Rapids and Ionia from Philadelphia, New York, and points east of Detroit, Ionia being shorter distant from Detroit than Grand Rapids, and both situate on defendant's line of railroad, in draying freight free of charge to consignees' doors at Grand Rapids, while like kinds of freight are only delivered at its warehouse in Ionia, defendant unjustly discriminates against Ionia in favor of Grand Rapids, to its prejudice and disadvantage, and makes a greater charge for a shorter than for a longer distance, in violation of sections 2, 3, and 4 of the act to regulate commerce.

Sept. 24, 1888. Complaint filed.

Oct. 8, 1888. Answer filed.

Oct. 20, 1888. Case assigned for hearing December 11, 1888.

150. Coxe Brothers and Company *against* The Lehigh Valley Railroad Company :

Complaint alleges that defendant's charges to complainant's anthracite coal as interstate traffic are unreasonable and unjust ; that said charges are greater than are charged to others on bituminous coal traffic shipped contemporaneously and under similar circumstances and conditions, and that said bituminous coal traffic is thereby given an unreasonable preference and advantage over said anthracite coal traffic, to

its undue prejudice and disadvantage. The complaint further alleges that defendant charges petitioners more on anthracite coal as interstate traffic than it charges the Lehigh Valley Coal Company on anthracite coal contemporaneously shipped under similar circumstances and conditions, thereby giving to said Lehigh Valley Coal Company an unreasonable preference and advantage over petitioner and other shippers, to their undue prejudice and disadvantage.

Oct. 19, 1888. Complaint filed.

Nov. 13, 1888. Answer filed.

Nov. 15, 1888. Case assigned for hearing January 11, 1889.

Nov. 24, 1888. Case re-assigned for hearing January 18, 1889, upon request of parties.

151. In the matter of the Tariffs and Classifications of the Atlanta and West Point Railroad Company; Central Railroad and Banking Company of Georgia; Charleston and Savannah Railway Company; Charlotte, Columbia and Augusta Railroad Company; Cincinnati, New Orleans and Texas Pacific Railway Company; Columbia and Greenville Railroad Company; East Tennessee, Virginia and Georgia Railway Company; Georgia Railroad and Banking Company; Louisville and Nashville Railroad Company; Memphis and Charleston Railroad Company; Mobile and Girard Railroad Company; Mobile and Montgomery Railroad Company; Montgomery and Eufaula Railroad Company; Nashville, Chattanooga and Saint Louis Railway Company; Norfolk and Western Railroad Company; Port Royal and Augusta Railway Company; Richmond and Danville Railroad Company; Rome Railroad Company; Savannah, Florida and Western Railway Company; Savannah, Griffin and North Alabama Railway Company; Seaboard and Roanoke Railroad Company; South Carolina Railway Company; South and North Alabama Railway Company; Vicksburg and Meridian Railway Company; Western and Atlantic Railroad Company; Western Railway Company of Alabama; Wilmington and Weldon Railroad Company; Wilmington, Columbia and Augusta Railroad Company; and such other carriers as may hereafter be named, operating in the same territory with those above enumerated, or connecting with them:

A general examination and investigation of the tariffs and classifications of the above-named companies ordered.

Oct. 22, 1888. Matter assigned for hearing December 18, 1888.

152. In the matter of the Tariffs of the Transcontinental Lines:

The question whether a tariff of rates from San Francisco to Denver, higher than the rates charged at the same time over the same line from San Francisco to Kansas City, was justifiable, having been presented in No. 83, and the opinion of the Commission filed in that case having decided that the question involved the entire subject of relative rates as between shorter and longer hauls on all the transcontinental lines, a general examination was ordered of the tariffs put in force on the various transcontinental lines September 1, 1888.

- Sept. 1, 1888. New transcontinental tariffs in effect on this date.
 Oct. 16, 1888. Conference held between the Commission and representatives of the transcontinental lines.
 Oct. 23, 1888. Circular suspending tariffs Nos. 11 to 16, inclusive, and announcing that west-bound tariffs No. 8, and its supplements, will govern west-bound freight traffic destined to Pacific coast terminals and originating at Atlantic sea-board common points and common points west thereof and east of the ninety-seventh meridian of longitude, in effect this date, filed by the Transcontinental Association.
 Opinion by Walker, Commissioner. (2 I. O. C. Repts., p. 324.)
 No order considered necessary.

Summary from December 1, 1887, to December 1, 1888.

Cases heard and decided.....	49
Cases heard, not decided	10
Cases hearing not completed	6
Cases withdrawn and settled by parties.....	23
Cases suspended by request of parties.....	10
Cases at issue and assigned for hearing	9
Total	107

APPENDIX D

RULES OF PRACTICE, CIRCULARS, AND GENERAL ORDERS OF THE COMMISSION, AND STATEMENT OF EXPENDITURES.

RULES OF PRACTICE IN CASES AND PROCEEDINGS BEFORE THE COMMISSION.

PUBLIC SESSIONS.

I. When at Washington the Commission will hold its general sessions at 11 o'clock a. m. daily, except Saturdays and Sundays, for the reception and hearing of petitions and complaints and the transaction of such other business as may be brought before it. The sessions will be held at the office of the Commission, in the Sun Building, No. 1315 F street northwest. When special sessions are held at other places such regulations as may be necessary will be made by the Commission.

PETITIONS UNDER SECTION 4.

II. Application under the fourth section of the act for authority to charge less for longer than for shorter distances for the transportation of passengers or property, must be made by petition addressed to the Commission by the carrier or carriers desiring the relief. The petition must state with particularity the extent of the relief desired and the points at and between which authority is asked to charge less for longer distances; the reasons for the relief sought must also be set forth, and the facts upon which the application is founded. The petition must be verified by some officer or agent of the carrier in whose behalf it is presented, to the effect that the allegations of the petition are true to the knowledge or belief of the affiant. Notice must be published by a petitioner in not less than two newspapers along the line of the road having general circulation, for at least ten days prior to the presentation of a petition stating briefly the nature of the relief intended to be applied for and the time when the application will be presented, and proof of each publication must be filed with the petition.

III. Upon the presentation of a petition for relief an investigation will be made by the Commission at a time and place to be designated, when testimony will be received for and against the prayer of the petition. After investigation the Commission will make such order as may appear to be just and appropriate upon the facts and circumstances of the case.

COMPLAINTS UNDER SECTION 13.

IV. Complaints under section 13 of the act of anything done or omitted to be done by any common carrier subject to the provisions of the act, in contravention of the provisions thereof, must be made by petition, which must briefly state the facts which are claimed to constitute a violation of the act, and must be verified by the petitioner, or by some officer or agent of the corporation, society, or other body or organization making the complaint, to the effect that the allegations of the petition are true to the knowledge or belief of the affiant.

The complainant must furnish as many written or printed copies of the complaint or petition as there may be parties complained against to be served. When a complaint is made the name of the carrier complained against must be set forth in full, and the address of the petitioner, and the name and address of his attorney or counsel, if any, must be indorsed upon the complaint.

The Commission will cause a copy of the complaint to be served upon each common carrier complained against, by mail or personally, in its discretion, with notice to the carrier or carriers to satisfy the complaint or to answer the same in writing within the time specified.

ANSWER.

V. A carrier complained against must answer the complaint made within twenty days from the date of the notice, unless the Commission shall in particular cases prescribe a shorter time for the answer to be served, and in such cases the answer must be made within the time prescribed. The original answer must be filed with the Commission, at its office in Washington, and a copy thereof must at the same time be served upon the complainant by the party answering, personally or by mail. The answer must admit or deny the material allegations of fact contained in the complaint, and may set forth any additional facts claimed to be material to the issue. The answer must be verified in the same manner as the complaint. If a carrier complained against shall make satisfaction before answering, a written acknowledgment of satisfaction must be filed with the Commission; and in that case the fact of satisfaction without other matter may be set forth in the answer filed and served on the complainant. If satisfaction be made after the filing and service of an answer, a supplemental answer setting forth the fact of satisfaction may be filed and served.

VI. If a carrier complained against shall deem the complaint insufficient to show a breach of legal duty, it may, instead of filing an answer, serve on the complainant notice for a hearing of the case on the complaint; and in case of the service of such notice, the facts stated in the complaint will be taken as admitted. The filing of an answer will not be deemed an admission of the sufficiency of the complaint, but a motion to dismiss for insufficiency may be made at the hearing.

ADJOURNMENTS AND EXTENSIONS OF TIME.

VII. Adjournments and extensions of time may be granted upon the application of parties in the discretion of the Commission.

HEARINGS.

VIII. Upon issue being joined by the service of answer, the Commission, upon request of either party, will assign a time and place for hearing the same, which will be at its office in Washington unless otherwise ordered. Witnesses will be examined orally before the Commission except in cases when special orders are made for the taking of testimony otherwise. The petitioner or complainant must in all cases prove the existence of the facts alleged to constitute a violation of the act, unless the carrier complained of shall admit the same, or shall fail to answer the complaint. Facts alleged in the answer must also be proved by the carrier, unless admitted by the petitioner on the hearing.

In cases of failure to answer, the Commission will take such proof of the charge as may be deemed reasonable and proper, and make such order thereon as the circumstances of the case appear to require.

WITNESSES AND DEPOSITIONS.

IX. Subpoenas requiring the attendance of witnesses will be issued by any member of the Commission in all cases and proceedings before it, and witnesses will be required to obey the subpoenas served upon them requiring their attendance or the production of any books, papers, tariffs, contracts, agreements, or documents relating to any matter under investigation or pending before the Commission.

When a cause is at issue on petition and answer each party may proceed at once to take depositions of witnesses in the manner provided by sections 863 and 864 of the Revised Statutes of the United States, and transmit them to the secretary of the Commission, without making any application to, or obtaining any authority from, the Commission for that purpose.

AMENDMENTS.

X. Upon application by any petitioner or party, amendments may be allowed by the Commission, in its discretion, to any petition, answer, or other pleading in any proceeding before the Commission.

COPIES.

XI. Copies of any petition, complaint, or answer in any matter or proceeding before the Commission, or of any order, decision, or opinion by the Commission, will be furnished upon application by any person or carrier desiring the same upon payment of the expense thereof.

AFFIDAVITS.

XII. Affidavits to a petition, complaint, or answer may be taken before any officer of the United States, or of any State or Territory, authorized to administer oaths.

INTERSTATE COMMERCE COMMISSION,
Washington, December 19, 1887.

DEAR SIR: At present there is no uniform method on the part of the railroads for filing with the Commission joint passenger rates which are compiled under agreement of committees or associations. In this connection the Commission ruled, on June 15th last, as follows:

"In the case of schedules of passenger rates issued by a committee representing a group of roads, the Commission desires a written statement from each corporation to the effect that it is a member of the association which the committee represents, and that tariff schedules filed by the committee are to be treated as if filed by such corporation. In case there is a written agreement under which the association works, a copy thereof should also be filed. Upon receipt of the foregoing, as evidence of the authority of the committee, schedules of the tariffs and documents issued relating to changes in passenger rates, etc., will be received by the Commission and credited to each road in the association as if filed by such road, respectively. A letter of transmittal, stating contents, should accompany each inclosure."

To further perfect the plan which it was hoped the foregoing ruling would establish, you are now requested to comply with the following:

First. To advise this office of the names of the committees or associations of which your company is a member; and also of the names of the commissioners or compilers to whom authority and instructions have been given to file tariffs, etc., with the Interstate Commerce Commission for your company, and the names and character of the tariffs so covered.

Second. To instruct the commissioner or compiler for such committee or association to file with this office one copy of the contract, agreement, or arrangement under which action is taken for the establishment of joint passenger rates.

Third. To instruct the commissioner or compiler of such committees or associations to file with this office all schedules of passenger rates which may be issued by him for your company, separately or jointly, with other roads.

Under a compliance with this arrangement, it will not be necessary for each company to file such tariffs as are filed by the commissioners or compilers.

Credit for such filing will be given to each road from which advice has been received of the authority given representatives of committees or associations.

For the Commission.

Very truly yours,

C. C. McCAIN,
Auditor.

[Circular No. 6.]

INTERSTATE COMMERCE COMMISSION,
AUDITOR'S OFFICE,
Washington, February 13, 1888.

Roads located wholly in one State or Territory, which interchange freight or passenger traffic with connections to or from points outside of such State or Territory, on through tickets or bills of lading, should file tariffs covering such traffic with the Commission.

If such through rates are made by the addition of local rates to the rates of connecting roads, such local tariffs should be filed with the Commission, together with a statement that through interstate rates are made by adding such local rates to the rates of the carrier (naming it) with which connection is made.

If joint rates are made on any basis other than by the addition of the local rates to the through rates of connecting carriers, tariffs showing such rates should be filed with the Commission covering all interstate business transacted thereunder.

For the Commission.

C. C. McCAIN,
Auditor.

INTERSTATE COMMERCE COMMISSION, *Washington.*

At a meeting of the Interstate Commerce Commission, held at the office of the Commission in the city of Washington, on the 21st day of June, 1887. Present, all the Commissioners:

The subject of the publication of joint tariffs being under consideration, the following preamble and order were unanimously adopted and directed to be sent to all railroad companies subject to the "act to regulate commerce:"

Whereas section six of the "act to regulate commerce" authorizes the Commission to direct when joint tariffs shall be made public, and to prescribe the measure of publicity to be given to the same:

It is ordered as follows: Joint tariffs of rates, fares, or charges, established by two or more common carriers for the transportation of passengers or freight passing over continuous lines or routes, copies of which are required by the sixth section of the "act to regulate commerce" to be filed with the Commission, shall be made public so far as the same relate to business between points which are connected by the line of any single common carrier required by the first paragraph of said section to make public schedules of its rates, fares, and charges. Such joint tariffs shall be so published by plainly printing the same in large type of at least the size of ordinary "pica," copies of which shall be kept for the use of the public in such places and in such form that they can be conveniently inspected, at every depot or station upon the line of the carriers uniting in such joint tariff where any business is transacted in competition with the business of a carrier whose schedules are required by law to be made public as aforesaid.

A true copy.

EDW. A. MOSELEY,
Secretary.

INTERSTATE COMMERCE COMMISSION, *Washington.*

At a meeting of the Interstate Commerce Commission held in the city of Washington on the 8th day of March, 1888. Present, all the Commissioners.

The subject of the publication of joint tariffs being under consideration, the following preamble and order were unanimously adopted, and directed to be sent to all common carriers subject to the act to regulate commerce:

Whereas section 6 of the act to regulate commerce authorizes the Commission to direct when joint tariffs shall be made public, and to prescribe the measure of publicity to be given to the same:

It is ordered as follows: Every tariff of rates and charges which a common carrier subject to the provisions of the act to regulate commerce, by itself or jointly with one or more other carriers, whether such carriers are or are not subject to such act, shall establish for the transportation of grain, flour, meal, meats, provisions, lard, tallow, canned goods, cotton, tobacco, live stock, or other articles of customary export, from any point within the United States to a sea-port thereof, or to any point in or on the boundary of an adjacent country, or to any foreign port or place, is required to be filed with the Commission and shall be made public.

In all cases where a tariff is established for such merchandise billed or intended for export by sea, and ocean rates are not specified, either because of their fluctuation or for any other reason, so that only the charge for inland transportation is definitely fixed, the tariff as filed and made public shall show the rate charged by the inland carrier or carriers to the point of export, including all terminal charges or expenses, and shall also show in what manner the through rate to the point of ultimate destination is to be determined, whether by the addition of the ocean rate from time to time prevailing, or how otherwise. When the rate is a gross sum for the transportation of freight from a point within the United States to a port or place in a foreign country, the tariff as filed and made public shall in every case show what part of the whole is allowed to the carrier or carriers for inland transportation to the point of export by sea, including all terminal expenses or charges; and if such part is subject to be increased or diminished, contingently or otherwise, or if in any other case the charge for inland transportation is subject to any change or modification in case the property carried is exported, the fact, and the manner in which the increase, diminution, or change is to be determined, and the extent thereof, shall be stated.

Every such tariff of rates and charges shall be published by plainly printing the same in large type of at least the size of ordinary pica, and copies thereof shall be kept for the use of the public in such places and in such form that they can be conveniently inspected, at every depot or station of any carrier making or issuing the same at which any traffic to which it relates is received or delivered.

This order shall become operative on March 20, 1888.

A true copy.

EDWARD A. MOSELEY,
Secretary.

(Circular.)

INTERSTATE COMMERCE COMMISSION,
Washington, November 14, 1888.

The bureau in charge of the auditor will hereafter be known as the bureau of rate and transportation, Auditor C. C. McCain remaining at the head thereof.

In view of the importance of providing for an exhaustive compilation of statistics from the annual reports of carriers, and the great amount of detail work involved, a bureau of statistics has been established which is in charge of Prof. Henry C. Adams, statistician.

All freight tariffs, passenger tariffs, classifications, rate sheets, circulars, and other printed or written matter relating to rates, together with all contracts, agreements, and traffic arrangements which are required to be filed with the Commission under section 6 of the act to regulate commerce, and correspondence relating thereto, will be addressed as heretofore to C. C. McCain, Auditor, Interstate Commerce Commission, Washington, D. C.

Annual reports of carriers under section 20 of said act, and correspondence relating thereto, will be addressed to Henry C. Adams, Statistician, Interstate Commerce Commission, Washington, D. C.

By order of the Commission.

EDWARD A. MOSELEY,
Secretary.

INTERSTATE COMMERCE COMMISSION, *Washington.*

At a general session of the Interstate Commerce Commission, held at its office in Washington on the 22d day of October, A. D. 1888:

In the matter of the tariffs and classifications of the Atlanta and West Point Railroad Company and other companies. It appearing to the Commission upon an inspection of the tariffs and classifications published and filed by the carriers herein-after named, which are associated for certain purposes under the name of the Southern Railway and Steamship Association, as well as by information and complaints received from time to time, that such carriers in many cases make a greater charge for the transportation of a like kind of property for a shorter than for a longer distance over the same line in the same direction upon interstate traffic; and that the disparity between the charges made at different points over the same line is in some instances apparently very great as related to distance; and that there is reason to believe that the requirements of section 6 of the act to regulate commerce are not complied with in the filing and publishing of many of said tariffs, in this, among other things, that the rates actually charged to shippers are not the rates given upon said schedules, but so-called combination rates are made, different from the rates specified in the tariffs as published and filed, upon both local and joint interstate traffic; and that the classifications in use are complicated and involved, containing many exceptions and variations, different classifications being at times used upon the road of the same carrier for the shipment of the same commodities to neighboring points, and at times two or more classifications being employed upon the same shipment in fixing a so-called combination rate upon the line of a single carrier, or of two or more connecting carriers; and that the tariffs as filed, and without explanation, are apparently not in form sufficient for the information of the public in the transaction of business; and that special tariffs are issued upon single shipments, and are limited in time; and that said tariffs and classifications in other respects do not appear to conform to the provisions and requirements of the act to regulate commerce; and that an investigation and inquiry should be had in respect to said matters:

It is thereupon ordered that the following-named carriers, to wit:

Atlanta and West Point R. R. Co.,
 Central R. R. and Banking Co. of Georgia,
 Charleston and Savannah Ry. Co.,
 Charlotte, Columbia and Augusta R. R. Co.,
 Cincinnati, New Orleans and Texas Pacific Ry. Co.,
 Columbia and Greenville R. R. Co.,
 East, Tennessee, Virginia and Georgia Ry. Co.,
 Georgia R. R. and Banking Co.,
 Louisville and Nashville R. R. Co.,
 Memphis and Charleston R. R. Co.,
 Mobile and Girard R. R. Co.,
 Mobile and Montgomery R. R. Co.,
 Montgomery and Eufaula R. R. Co.,
 Nashville, Chattanooga and Saint Louis Ry. Co.,

Norfolk and Western R. R. Co.,
 Port Royal and Augusta Ry. Co.,
 Richmond and Danville R. R. Co.,
 Rome R. R. Co.,
 Savannah, Florida and Western Ry. Co.,
 Savannah, Griffin and North Alabama Ry. Co.,
 Seaboard and Roanoke R. R. Co.,
 South Carolina Ry. Co.,
 South and North Alabama Ry. Co.,
 Vicksburg and Meridian Ry. Co.,
 Western and Atlantic R. R. Co.,
 Western Ry. Co. of Alabama,
 Wilmington and Weldon R. R. Co.,
 Wilmington, Columbia and Augusta R. R. Co.,

and such other carriers as may hereafter be named, operating in the same territory with those above enumerated, or connecting with them, appear before this Commission at Washington, D. C., on December 18, 1888, at 11 o'clock a. m., for the purpose of a general examination and investigation of their tariffs and classifications as on file in the office of the Commission, and as in use upon their lines, respectively; to the end that an opportunity may be then and there given to said common carriers to be heard concerning the same, and in respect to the method of constructing interstate rates therefrom as practiced upon said lines, respectively, or in connection with other lines; and that any changes may be made which shall be found necessary and proper in order to bring said tariffs and classifications, and the manner of transacting business thereunder, into more complete conformity with the provisions of the act to regulate commerce.

A true copy.

EDW. A. MOSELEY,
Secretary.

Statement of appropriations for the Interstate Commerce Commission from the organization of the Commission to June 30, 1888.

Sec. 23. Act to regulate commerce, approved February 4, 1888. (The sum of one hundred thousand dollars is hereby appropriated for the use and purposes of this act for the fiscal year ending June thirtieth, Anno Domini eighteen hundred and eighty-eight and the intervening time anterior thereto)	\$100,000.00
Miscellaneous objects—urgent deficiencies act approved March 30, 1888. (To enable the Interstate Commerce Commission to properly carry out the objects of the "act to regulate commerce," approved February fourth, eighteen hundred and eighty-seven, during the remainder of the current fiscal year, the original appropriation being insufficient, twenty-five thousand dollars)	25,000.00
	<u>125,000.00</u>
Amount expended for all purposes to June 30, 1887, inclusive..	\$15,140.05
Amount expended for all purposes for the fiscal year ended June 30, 1888	97,867.54
	<u>113,007.59</u>
Unexpended balance June 30, 1888	11,992.41

Statement of expenditures from the organization of the Commission, April 4, 1887, to the expiration of the fourth quarter of 1887. (June 30, 1887.)

Salaries of Commissioners and secretary	\$10,181.03
Preparing and furnishing for occupancy the offices of the Commission...	694.15
Paid clerks, stenographers, messenger, and laborers from April 4 to July 1.	2,004.18
Traveling expenses:	
Of Commissioners, stenographer, and clerk, from Washington to Atlanta, Mobile, New Orleans, and Memphis; railway fares and accommodations while traveling, transportation of baggage, and omnibus fares.....	\$693.90
Hotel bills in the cities named, and meals en route	328.20
Telegrams (official), stationery, and messenger service ...	12.10
Court-room employes at New Orleans and Memphis	17.00
One Commissioner from Washington to Boston, Mass.; railway fares and accommodations while traveling, and omnibus fare.....	36.89
Hotel bills and meals en route.....	7.00
	<u>1,095.09</u>
Rent for offices from April 15, 1887, to May 31, 1887	457.50
Stenography and type-writing.....	666.05
Sundry expenses, books, janitor, ice, carrying mail, etc	41.25
	<u>15,140.05</u>
Amount paid out prior to July 1, 1887.....	15,140.05

EDW. A. MOSELEY,
Secretary and Disbursing Agent.

174 REPORT OF THE INTERSTATE COMMERCE COMMISSION.

Statement of expenditures of the Interstate Commerce Commission for the fiscal year ending June 30, 1888.

Salaries of Commissioners and Secretary \$41,000.00
 Employés:

One auditor, eleven and one-third months, at \$225 per month	\$2,550.00
One assistant auditor, six months, at \$150 per month	900.00
Eight clerks, twelve months, at \$100 per month	9,600.00
One clerk, eleven months, at \$100 per month	1,100.00
One clerk, seven months, at \$100 per month	700.00
One clerk, five months and twenty days, at \$100 per month	562.90
One clerk, five months and seven days, at \$100 per month	522.58
One clerk, four months and twenty-eight days, at \$100 per month	498.28
One clerk, four months and nineteen days, at \$100 per month	467.24
One clerk, four months and six days, at \$100 per month ..	420.65
One clerk, four months and one day, at \$100 per month ..	403.44
One clerk, four months, at \$100 per month	400.00
Two clerks, three months and twenty-four days, at \$100 per month	751.60
One clerk, three months and seventeen days, at \$100 per month	354.84
One clerk, three months and sixteen days, at \$100 per month	351.18
One clerk, three months and thirteen days, at \$100 per month	341.94
One clerk, two months and thirty days, at \$100 per month ..	296.67
Two clerks, two months and twenty-six days, at \$100 per month	566.66
One stenographer, for extra work and six months and twenty days, at \$150 per month	1,169.90
One stenographer, for extra work and two months, at \$125 per month	251.05
Other stenographers (job work), laborers, etc	668.15
Two messengers, twelve months, at \$60 per month	1,440.00
One messenger, six months and twenty days, at \$60 per month	397.74

24,714.82

Traveling expenses of Commissioners, from Washington to Rutland, Vt.; New York, at divers times; Lincoln, Neb., and Chicago, Ill., to make investigations (including the expenses of the secretary, auditor, and stenographer, when accompanying the Commissioners)—

Railway fares and accommodations while traveling, transportation of baggage, and omnibus fares	1,543.55
Hotel bills and meals en route	1,273.37
Telegrams, stationery, and messenger service	32.33
Rent of room in New York to hold investigation	48.00
Marshal's fees at Omaha	15.21
Clerk hire at Chicago	5.00

2,917.46

Rent for offices (fifth and sixth floors) Sun Building

7,320.00

Desks, tables, safe, chairs, stools, carpets, shades, awnings, type-writers, book-cases, partitions, and fitting up offices for use

10,032.10

Printing reports, decisions, circulars, orders, blanks, etc., and stationery ..

6,911.05

Railway and law books

1,518.90

Janitor, ice, carrying mail, stamps, telegrams, expressage, and other incidental expenditures

3,432.37

Missouri Pacific transportation, settled by Treasury Department

20.84

Total expenditure

97,867.54

EDW. A. MOSELEY,
Secretary and Disbursing Agent.

Clerical force of the Commission for the fiscal year ending June 30, 1888.

	Per month.
C. Curtice McCain, Minnesota, auditor, eleven and one-third months	\$295
Jesse M. Smith, Kentucky, assistant auditor, six months	150
Edward L. Pugh, Alabama, clerk, one year	100
Ira M. Krutz, Indiana, clerk, one year	100
H. L. Hatch, Vermont, clerk, one year	100
Fred. S. Hubbard, Michigan, clerk, one year	100
Martin S. Decker, New York, clerk, one year	100
Charles A. Molloy, Ohio, clerk, one year	100
Frank Lyon, Virginia, clerk, one year	100
Russell MacCarthy, New York, clerk, one year	100
George T. Roberts, Vermont, clerk, eleven months	100
William James Carroll,* Nebraska, clerk, seven months	100
Harry G. Morrison, New York, clerk, five months and twenty days	100
Daniel M. Wood, New York, clerk, five months and seven days	100
Emmet Woodward, Tennessee, clerk, four months and twenty-eight days	100
Willie P. Mangum, Arkansas, clerk, four months and twenty days	100
W. Holliday Denlinger, Illinois, clerk, four months and six days	100
J. Howard Fishback, District of Columbia, clerk, four months and one day	100
Thomas Jackson, jr., New York, clerk, four months	100
Harry Newcomb, Michigan, clerk, three months and twenty-four days	100
Andrew R. Govan, Mississippi, clerk, three months and twenty-four days	100
Charles H. Burnett, District of Columbia, clerk, three months and seventeen days.	100
Stephen C. Mason, Vermont, clerk, three months and thirteen days	100
William P. Montague,* Massachusetts, clerk, three months and sixteen days	100
Nathan C. Monroe, Georgia, clerk, two months and thirty days	100
Willoughby S. Chesley, Maryland, clerk, two months and twenty-six days	100
Julien D. Garrison, Texas, clerk, two months and twenty days	100
John J. Linney, Virginia, stenographer, six months and twenty days	150
Reuben Daily,* Indiana, stenographer, two months	125
Lewis H. Finney, Virginia, messenger, one year	60
Buford A. Lynch, Alabama, messenger, one year	60
Ervin C. Bowen, District of Columbia, messenger, six months and twenty days.	60

* Resigned.

EDW. A. MOSELEY,
Secretary.

APPENDIX E.

DOCUMENTS AND CORRESPONDENCE RELATING TO THE SUBJECT OF CLASSIFICATION.

List of roads north of the Potomac and Ohio and east of the Mississippi Rivers using official classification No. 2.

[Those with the figure 1 prefixed use one other classification, and those with the figure 2 prefixed use two other classifications.]

Road.	Mileage.	Road.	Mileage.
Allegheny Valley.....	259	(2) Delaware and Hudson Canal Company.....	165
Boston and Albany.....	389	Detroit, Bay City and Alpena.....	161
Buffalo, Rochester and Pittsburgh.....	300	(2) Duluth, South Shore and Atlantic.....	301
(2) Boston and Maine (including Lowell system).....	1,454	Delaware, Lackawanna and Western.....	905
(1) Baltimore and Ohio.....	1,693	(1) Dunkirk, Allegheny Valley and Pittsburgh.....	91
Bangor and Portland.....	35	Dayton, Fort Wayne and Chicago.....	258
(1) Boston and Providence.....	67	Erie and Wyoming Valley.....	50
(1) Bennington and Rutland.....	59	(1) Evansville and Terre Haute.....	146
Bradford, Bordelland Kinzua.....	120	Elmira, Courtland and Northern.....	140
Concord.....	141	Fall Brook Coal Company.....	231
(2) Chicago and Alton (east of Mississippi River).....	567	Fitchburg.....	345
Chicago and Atlantic.....	269	Flint and Pere Marquette.....	361
Cincinnati, Wabash and Michigan.....	164	Fort Wayne, Cincinnati and Louisville.....	128
Catawauqua and Fogelsville.....	25	(2) Grand Rapids and Indiana.....	558
(1) Central Vermont.....	553	(1) Grand Trunk.....	2,925
(1) Chicago, Saint Paul, Minneapolis and Omaha (east of Mississippi).....	582	Housatonic.....	126
Chautauqua Lake.....	36	Hartford and Connecticut Western.....	110
(1) Chicago and Eastern Illinois.....	217	(2) Indiana and Illinois Southern.....	91
Cincinnati and Muskingum Valley.....	148	(1) Indiana, Bloomington and Western.....	542
Columbus and Eastern.....	100	(1) Indianapolis, Decatur and Springfield.....	153
Cleveland, Akron and Columbus.....	144	(2) Indiana, Illinois and Iowa.....	110
Cincinnati, Lebanon and Northern.....	37	(1) Louisville, New Albany and Chicago.....	509
(1) Cincinnati, Washington and Baltimore.....	281	Lackawanna and Pittsburgh.....	106
(2) Cairo, Vincennes and Chicago line.....	266	Lehigh Valley.....	615
(1) Cleveland, Loraine and Wheeling.....	158	Lake Shore and Michigan Southern.....	1,297
Chicago, Milwaukee and Saint Paul (east of Mississippi River).....	278	Louisville, Evansville and Saint Louis.....	277
Cleveland, Columbus, Cincinnati and Indianapolis.....	786	Lehigh and Hudson River.....	63
Connecticut River.....	124	Lake Erie, Alliance and Southern.....	61
Cleveland and Marietta.....	106	Lake Erie and Western.....	585
Cincinnati, Jackson and Mackinaw.....	343	(1) Moshassuck Valley.....	2
Cumberland Valley.....	125	(1) Michigan Central.....	1,563
(1) Cincinnati, Hamilton and Dayton.....	369	Marietta, Columbus and Northern.....	35
Columbus, Hocking Valley and Toledo.....	314	New York, Ontario and Western.....	417
(1) Cincinnati, Indianapolis, Saint Louis and Chicago.....	471	New York Central and Hudson River.....	884
Chicago and Indiana Coal.....	145	New York, Susquehanna and Western.....	143
Chicago and Grand Trunk.....	519	(1) New York, Philadelphia and Norfolk.....	114
Cleveland and Canton.....	160	New Jersey and New York.....	42
Cleveland and Western.....	56	Newburgh, Dutchess and Connecticut.....	63
(1) Chicago, Burlington and Quincy (east of Mississippi River).....	536	New York, Lake Erie and Western.....	1,788
(1) Chicago and West Michigan.....	414	New York and Massachusetts.....	37
Central of New Jersey.....	545	New York, New Haven and Hartford.....	553
Cincinnati, Georgetown and Portsmouth.....	42	New York, Chicago and Saint Louis.....	523
Columbus, Cincinnati and Midland.....	70	New York, Rutland and Montreal.....	57
(1) Canada Atlantic.....	122	(1) New York and New England.....	445
Detroit, Lansing and Northern.....	320	New York and Northern.....	54
		(1) New York, Providence and Boston.....	83
		(1) Ohio and Mississippi.....	616
		Ohio and Northwestern.....	128

List of roads north of the Potomac and Ohio and east of the Mississippi River using official classification No. 2—Continued.

Road.	Mileage.	Road.	Mileage.
Ohio Southern	213	Toledo and Ohio Central	213
Ohio River	169	(1) Toledo, Peoria and Western	270
(1) Philadelphia and Reading	889	(1) Toledo, Saint Louis and Kansas City	287
Pennsylvania	4,186	Terre Haute and Peoria	176
Pennsylvania Company	2,450	Toledo, Columbus and Southern	45
Pittsburgh and Lake Erie	136	(1) Ulster and Delaware	78
Pontiac, Oxford and Port Austin	100	Valley	75
Pittsburgh, Marion and Chicago	25	(1) Vandalia	423
Port Huron and Northwestern	218	Wheeling and Lake Erie	189
Pittsburgh and Western	340	(1) Western Maryland	213
Rome, Watertown and Ogdensburg	656	Wilkesbarre and Western	21
Scioto Valley	181	Wilmington and Northern	74
Shenango and Allegheny Valley	95	(1) Wabash	956
Stony Clove and Catskill Mountain	14	(1) Wabash Western (east of Missis-	
Shepaug, Litchfield and Northern	32	sippi River)	213
(2) Shenandoah Valley	239	West Shore	426
Syracuse, Ontario and New York	44	Western New York and Pennsylvania	639
(1) Saint Paul and Duluth	207	Williamsport and North Branch	22
(1) Toledo, Ann Arbor and North Mich-		York and Peachbottom	40
igan	243	Zanesville and Ohio	51

Number of roads using official classification No. 2..... 181
 Total mileage..... 47,642

Information regarding classifications still to some extent made use of, in addition to the leading classifications mentioned in the report.

Alabama State Classification.

Used for business between points in the State of Alabama.

Associated Railways of Virginia and the Carolinas.

There is no classification of this title; but exception sheets are issued to the Southern Railway and Steamship Association classification, applying to the territory of the Associated Railways of Virginia and the Carolinas. These exception sheets are applied differently in the different States.

Boston and New York "A."

This is a tariff which the New York, New Haven and Hartford and the New York and New England railroads report is used by the Sound lines between New York and Boston. A long list of articles is given with rates which are different from the official classification, practically making a different classification on such articles.

Canadian Joint Classification.

Used by Michigan Central, Grand Trunk Railway, and Canada and Atlantic line—for business between points in Canada.

Florida State Commission.

This classification is understood to be in use for local business in Florida, and is the same as the Southern Railway and Steamship classification, with a few modifications.

Georgia State Commission.

In use by Central Railroad of Georgia and other State roads. The Central Railroad of Georgia say they have had no intimation of an intention on the part of the railroad commission to consolidate it with the Southern Railway and Steamship classification.

Illinois State Commission.

In use upon local business between points in Illinois. It is the custom of some roads in Illinois to use the official classification when that classification will make a lower rate.

Joint Texas.

This classification is said to be still used for Arkansas business.

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Missouri State Commission.

The Chicago, Milwaukee and Saint Paul Railway state that this classification is used when it makes a lower rate than the western classification. The Quincy, Omaha and Kansas City also use the State classification. The Commission is not advised that other roads use this classification.

Mexican Classification.

This classification is understood to be the classification published in connection with the "Joint Through Mexico Freight Tariff and Classification," applying "to or from points in the Republic of Mexico" and Chicago, Saint Louis, New Orleans, Kansas City, Galveston, and San Francisco.

Mississippi State Commission.

South Carolina State Commission.

The classification of South Carolina is understood to be the same as the Southern Railway and Steamship Association, with certain exceptions, and is applied to State business.

List of classifications used by roads in the territory of the Central Traffic Association prior to April 1, 1887.

Name of classification.	Number of classes.	Name of classification.	Number of classes.
Baltimore and Ohio R. R. (local)	9	Illinois State	9
Cincinnati, Hamilton and Dayton R. R. (local)	6	Joint Western	10
Cincinnati, Indianapolis, Saint Louis and Chicago Ry. (local)	9	Joint Texas	9
Chicago and West Michigan Ry. (local) ..	11	Joint Mexico	8
Cleveland, Akron and Columbus Ry. (local)	6	Joint Freight Merchandise	7
Chicago and Grand Trunk Ry. (local) ..	4	Jeffersonville, Madison and Indianapolis R. R. (local)	9
Canadian Joint Freight	10	Lake Shore and Michigan Southern Ry. (local)	8
Cleveland and Marietta R. R. (local) ..	6	Middle and Western States	6
Cleveland, Loraine and Wheeling R. R. (local)	14	Mississippi Valley Joint	9
Cleveland and Western R. R. (local) ..	6	Michigan Central R. R. (local)	4
Cincinnati, Van Wert and Michigan R. R. (local)	7	New York, Pennsylvania and Ohio R. R. (local)	6
Cincinnati, Washington and Baltimore R. R. (local)	7	New York, Chicago and Saint Louis Ry. (local)	7
Cincinnati, Wabash and Michigan R. R. (local)	12	Ohio and Mississippi Ry. (local)	7
Dayton, Fort Wayne and Chicago R. R. (local)	6	Pennsylvania Company (local)	7
Detroit, Lansing and Northern R. R. (local)	12	Pontiac, Oxford and Port Austin R. R. (local)	7
East-bound	13	Pacific Coast East-bound	9
Flint and Pere Marquette Ry. (local) ..	4	Pacific Coast West-bound	14
Fort Wayne, Cincinnati and Louisville R. R. and White Water R. R. (local) ..	7	Southern Ry. and Steamship Association	12
		Toledo, Saint Louis and Kansas City Ry. (local)	6
		West-bound	5

Classifications in use upon the same roads since April 1, 1887.

Name of classification.	Number of classes.	Name of classification.	Number of classes.
Cincinnati, Washington and Baltimore R. R. (local)	7	Texas	9
Illinois State	9	Transcontinental or Pacific Coast, West-bound	10
Joint Mexico	8	Transcontinental or Pacific Coast East-bound	9
Mississippi Valley Joint	9	Western	10
Official	6		
Southern Railway and Steamship Association	12		

Extract from a letter from J. N. Faithorn, chairman of the Western and Northwestern Freight Association, dated July 10, 1888.

Mr. Midgley is the chairman of the joint conference committee of the Eastern and Western lines, appointed to agree if possible upon a uniform classification, and he no doubt will be glad to advise your Board of the existing status of this matter. The progress of that committee has necessarily been slow, owing in the first place to the great demand upon the time of the members thereof; secondly, because of the character of the task assigned to the committee. I am inclined to believe that Mr. Midgley will, in apprising your Board of the progress made, have no difficulty in convincing each member thereof of the stupendous character of the undertaking, that there are many difficulties to be overcome, which are not apparent upon the surface, and the coming conference is additionally desirable, I think, because of the opportunity which will thereby be afforded for a free interchange of thought upon the subject.

A uniform classification applicable to the entire business of the country would work a revolution in many respects, and it is too much to hope, I think, that such a classification can be established without a great deal of inquiry and research on the part of the railroad lines, a careful and deliberate weighing in the balance of the advantages and disadvantages which would result therefrom, and last, but not least, to bring about the object sought, concessions will be necessary on the part of many of the lines large enough in character to cause the makers of same to hesitate before assenting thereto.

Report on classification adopted at the conference held July 19 and 20, 1888.

The committee, consisting of representatives of the trunk lines of the Central Traffic Association and of the organizations extending westward from Chicago and Saint Louis, appointed to prepare for submission a classification which should govern in the interchange of all freight traffic, excepting that destined to and from the Pacific coast, at its last meeting, held in New York, July 19 and 20, 1888, unanimously—

Resolved, That this committee, while recognizing the desirability of a uniform classification, report that after patient and prolonged conferences held for the purpose of formulating such a classification, it is unable at this time to agree upon one which it can recommend for adoption.

Among the reasons which led to the foregoing conclusions may be stated the following:

When the joint conference committee was appointed in September last it was believed the time had come for the adoption of one classification which should govern on all freight traffic interchanged between eastern and western railroads. The disparities which prevailed in the classifications used respectively east and west of the Mississippi River, had been brought to the notice of various authorities—State and commercial—and they in turn had drawn the attention thereto of the Interstate Commerce Commission. The last-named body, it was thought, would be obliged to move in the direction of greater uniformity in freight classification; and rather than by waiting invite such action, those who spoke for the railroad companies advised that steps be taken to at least remove the more glaring differences which existed between the classifications of the eastern and the western roads. Moreover, the progress of events had pointed plainly in the direction of uniformity. Previous to the adoption of the interstate law there were numerous classifications in effect in the territory served by the trunk lines and their affiliated roads. With a zeal and pertinacity unprecedented, a committee representing the lines just described had, a few weeks before the interstate law became effective, addressed themselves resolutely to the task of consolidating into one the various classifications which long had been recognized between the Mississippi River and the Atlantic sea-board, thus creating one classification adapted to the requirements of the traffic in the most populous district of the country. Not only were there numerous local classifications thus to be taken up, but the rates and the classifications were not the same eastward-bound as they were westward-bound on the traffic interchanged between the East and the West. Westward-bound there were but five regular classes, while eastward-bound there were thirteen. To make the rates applicable in either direction and embrace the numerous commodities within six classes was, therefore, a great undertaking; but, although many were skeptical regarding the outcome, patiently and persistently it was carried to a successful completion. The trunk lines having thus adapted to their local and through freight traffic in either direction one classification, known now as the official, it was urged that the way had been paved for the march toward still further uniformity. With that view your committee was appointed, and, in the hope of achieving ultimate success, the work was begun.

Six conferences were held, in addition to the one at which this report was agreed upon, each extending over a period of several days. Soon it became apparent that radical differences existed in the requirements and conditions of the sections east and west of the Mississippi River, respectively. The former desired not to increase the difference between the less than car lot and the car lot rates on the same commodities, and to preserve as nearly as possible the relations they had established between the several classes, while the latter urged that, on account of the cost of operating and the comparatively small tonnage in the sparsely settled West, they could not afford to add to the number of less than car lot classes, nor could they profitably handle and foster their traffic without exercising greater latitude than was proposed in the making of rates and the differences between the same. Hence they desired that eight classes be adopted, with the understanding that all less than car lots be included in the first four classes, thus limiting the remaining four classes to articles carried in car lots.

Such a proposition, while manifestly in the interest of the western lines, because adapted to their circumstances and essential to their profitable operation, could not consistently be accepted by the trunk lines. For years the latter had operated without any difference in merchandise rates westward between car lots and less; therefore, when they consented to the adoption of six classes and the recognition of numerous car lots, as shown in the official classification, they had gone quite as far as, it was believed, they could with safety go, in view of the long-established custom prevailing in this respect throughout the territory between the sea-board and the Mississippi River. The result was, at this point, a difference in views between eastern and western members, which could not well be reconciled; and the work subsequently done by the committee, in proposing to rate less than car lot articles below fourth class was in most, if not all, cases effected by a majority vote—the East having eight and the West seven members of the committee.

Notwithstanding this difference, lines leading to the Missouri River were disposed to proceed with the work, and if possible adopt one classification to govern between the Atlantic sea-board and the Missouri River points, Saint Paul and Minneapolis. Resolutions looking to that end were at one time adopted by Western and Northwestern lines, but before the suggestions made could be carried out, events took another turn.

From causes not necessary now to be enumerated the Western roads became involved in a wide-spread and disastrous rate war, during which those in civil authority intimated they might be obliged to prescribe for the roads schedules approximating the charges which, at times, had, by the carriers, been voluntarily made. Accordingly, when the Iowa Commissioners promulgated a schedule of rates for the roads in that State which, by the companies interested, was considered ruinously low, the authorities in Nebraska and Minnesota gave notice of their desire to follow the example set. Thus the Western roads were confronted with reductions which, in no event, could they expect wholly to escape. Through tariffs to Missouri River points had already been greatly reduced, and local rates in Iowa, Minnesota, Nebraska, and Kansas were certain to reach a level not anticipated by the most despondent when the work of your committee was begun. The effect of those reductions upon the revenues of the Western roads was viewed by the managers with alarm, and as they had been informed the adoption of the classification outlined by your committee would involve them in further reductions, they were understood to shrink from assuming an additional loss, which they could just as well avoid.

Besides, the question of practicability had not been fully considered when it was proposed to carry a union classification as far as the Missouri River. Lines leading from Chicago and Saint Louis own, operate, or control several thousand miles of road west of the Missouri River. If they should attempt to use one classification to and another west of the line just described it would oblige them to divide their systems at that point, inasmuch as through tariffs could not be issued in simple form from Chicago, Saint Louis, and points common therewith, as they now are, to the multiplicity of stations west of the Missouri River, unless one classification should govern throughout. Otherwise they would be compelled to print commodity tariffs to the many common points on their own lines, and those of their connections, west of the Missouri River. This, it was evident, could not readily be done.

Meantime, the position thus taken was confirmed by the action of roads interested in the transcontinental and other traffic. Those lines met early in June, and at once set about formulating freight tariffs, subject to the Western classification. This involved a vast amount of labor, inasmuch as the various articles enumerated had to be carefully scanned, and a considerable number requiring special treatment were placed in commodity lists. With those exceptions, it was agreed that the Western should supersede the Pacific Coast classification on business from Mississippi River points and Chicago destined to the Pacific coast. At the same time an award, by one chosen to determine certain disputed questions pertaining to El Paso and other traffic, decreed that the Western classification should hereafter govern on freight

destined to El Paso, Eagle Pass, and the Republic of Mexico, and tariffs were issued accordingly.

Shortly before the Texas connections of the Fort Worth and Denver City Railroad had consented to adopt the Western classification on business carried to and from Colorado and Utah. Furthermore, the Texas lines signified their willingness to unite with the Western roads in the adoption of a joint classification. Hence, it was presumed that within a brief time there would practically be but one classification in use in the territory west of Chicago and the Mississippi River. The impression was that in thus securing uniformity in the territory west of that reached by the trunk lines they would possibly be accomplishing as much as did the latter when they consolidated into one the many classifications which previously governed in the district between the Atlantic and the Mississippi, north of the Ohio River.

The divergent views hereinbefore described as held by your committee have been honestly entertained, and the conclusions reached, both on the part of the East and the West, are such as the varying circumstances and conditions of each section seem to make necessary. It remains for your committee to express their sincere regret that, after so much earnest toil, their expectations of being able at this time to submit for your approval a joint classification are doomed to disappointment.

Extract from a letter from H. C. Barlow, general freight agent of the Wisconsin Central line, dated October 10, 1888.

The bill before Congress, as I understand it, is to force one uniform classification on all the railways in the United States, making that classification absolute in its application, thus abrogating all so-called commodity tariffs.

It is believed by railway men that this scheme is not practical, although it may be possible to bring it about. It hardly seems as though a classification adapted to the business of the New York Central or Boston and Albany roads could be made applicable to the business of the Wisconsin Central or the Denver and Rio Grande roads.

About one year ago the question of a uniform classification was taken up by the members of the Western Classification and a committee, consisting of four representatives of the roads using the Western Classification, three from the roads using the Transcontinental classification (which has since been abrogated), four representing the Central Traffic Association, and four representing the Trunk-Line Association, convened at Niagara Falls, to, if possible, work out a uniform classification. After two or three weeks' labor the committee were unable to agree upon cardinal principles, among which was the question of car-load classes, the number of classes, and the number of classes in the classification. The Eastern lines proposed to have six less than car-load rates and two car-load rates, while the Western lines proposed to have four less than car-load rates and four car-load rates. On all vital questions the vote stood 8 to 7, the West against the East.

The meeting adjourned to reconvene at Chicago at a later period. During the recess Chairman Midgley took up with Chairman Kingsbury (of the Pennsylvania road) the question of inviting in the Southern lines and the Texas lines. This was objected to and the negotiations fell through.

Since these meetings the transcontinental lines and the Texas lines have adopted the Western classification. The situation now stands as follows:

Chairman Midgley is endeavoring to secure the appointment of a committee from the Central Traffic, Trunk Line, Pacific Coast, Texas, and Western Associations, each association to be represented by a committee of three, who shall meet in joint conference, to again take up the question of a uniform classification.

I believe all the roads are alive to the importance of bringing about the desired result, if it is possible to do so.

Extract from a letter from Charles A. Sindall, Commissioner of the Southern Railway and Steamship Association, dated October 29, 1888.

The Southern roads, especially members of this association, use the Southern Railway and Steamship Association classification, each company making exceptions to fit their local traffic, except when State commissions make classifications within their respective States.

In regard to what has actually been accomplished toward a uniform classification since the act to regulate commerce took effect, I will state that there has been constant work going on in all the associations of which I have any knowledge looking

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to a uniformity in the various classifications now in effect. In this association, and I judge in others, as additions and changes to classifications have become necessary, we have endeavored to reach as near as possible uniformity with other associations in such additions and changes. This association has also had a committee at work since last January with the subject of uniform classification under consideration in connection with a like committee from the Trunk Line, Central Traffic, and other associations. Another committee, consisting of Col. T. M. R. Talcott, first vice-president of the Richmond and Danville Railroad Company, chairman, Maj. W. F. Shellman, traffic manager of the Central Railroad of Georgia, and W. H. Stanford, vice-president of the Old Dominion Steamship Company, has lately been appointed to meet a like committee from other associations at as early date as possible, probably some time in November, to take another step in the direction of the adoption of a uniform classification.

Extract from letter of General Freight Agent Pope, of the Norfolk and Western Railroad, under date of November 2, 1888.

The question has now received renewed vitality and consideration, and there has been a conference between Commissioner Midgley and Commissioner Carter of our Southern Association, looking to the resumption of the discussion of the classification matters, and the question has been again considered by our committee, and Commissioner Carter has again appointed a committee of conference from our association to take up with Commissioner Midgley and the committee of which he is chairman, the consideration of this question *de novo*. Commissioner Carter of the said Southern Association has requested me to act as chairman of the said conference classification committee. I have accepted the position and propose to have an informal meeting with Commissioner Midgley on this subject at an early date.

The importance of the subject has for a long period seriously impressed me, quite in advance of any views of anticipated national legislation on the question, or of the probable action of the Interstate Commerce Commission, simply because I have believed that it was eminently necessary that there should be a national freight classification, upon the grounds of good business principles and traffic intercourse.

I trust now that the question will continue to receive consecutive consideration and a possible satisfactory result reached at a not distant date, and I think it proper to make this statement to you in order that you may understand that the railways, at least of the Southern Association, are becoming alive to the importance of the subject.

I will be pleased to advise you from time to time as to any results that may attend the efforts of the respective committees.

Letter from J. Waldo, of the International Association, dated Houston, Tex., November 8, 1888.

The matter of uniform classification is one that lines of this association have given serious consideration, and at a meeting in Saint Louis last week a committee from among the traffic members was appointed to confer with like committees from other associations, to present to your Commission, if possible, a classification that would receive their unanimous consent.

The only classifications which the roads of this association have had in use or with which they have been familiar since January 1, 1887, are the Trunk Line Official classification, which has been changed, from time to time, the Atlantic Sea-board and Texas West-bound classification, the Western classification, used to a great extent by lines west of Chicago and the Mississippi and Missouri Rivers, the Joint Texas classification, used entirely for business having origin and destination in the State of Texas, except to Eagle Pass, El Paso, and Laredo for Mexican business, and the Western classification as adjusted to Texas traffic, which on the 15th ultimo superseded the Joint Texas classification for traffic having origin or destination in the territory of this association, except where the Mexican classification governs south of the Rio Grande River.

It is proper to add that the traffic having origin and destination in this State, and from territories east of the Mississippi River, except sea-board and Pittsburgh, has been governed since January 1, 1887, until October 15 last, by the Joint Texas classification and Western classification of June 11. Subsequent to that date by the Western classification as adjusted to Texas traffic.

Of the classifications referred to herein, you have the Official, the Western, and doubtless the Joint Texas and Western as adjusted to Texas traffic, but not being

positive about the two latter, I have this day inclosed them to you under a different cover.

Speaking in a general way in regard to classification, I can assure you that the members of this association are anxious that there should be adopted a uniform classification for the railways of the United States, and believe that this can be done without any very radical changes. Of course some changes must be made, but few of them will be so opposite to the general good that they can not be used.

While all the railroads have done something, and some of them labored arduously with the view of getting a uniformity that your honorable Commission might approve, yet there has been no unity in the matter. The latest move, above referred to, which seems to have been inspired by your Commission, will have a direct and proper tendency towards accomplishing a good result.

Extract from a letter from J. W. Midgley, Chairman, dated Chicago, November 9, 1888.

In order to give you some idea of the variety of classifications under which one road was obliged to work during the first part of 1883, permit me to make extracts as follows from some of the letters received.

The Wabash Railway Company had in effect classifications as follows:

	Classes.
Middle and Western States.....	6
Southern Railway and Steamship	18
Mississippi Valley.....	5
Revised Western.....	9
Trunk line, east-bound.....	13
Trunk line, west-bound.....	5
Texas.....	8
Pacific coast, east-bound	9
Pacific coast, west-bound.....	(*)

The Chicago and Alton Railroad had three classifications in use: the Illinois State, Missouri Local, and Western classifications. The first named applied between all stations in Illinois, and had nine classes, namely, 1st, 2d, 3d, 4th, 5th, A, B, C, and D. The Missouri classification applied on business between stations in Missouri, and had twelve classes, namely, 1st, 2d, 3d, 4th, D, E, F, G, H, I, J, and special. The Western classification applied on traffic carried between stations in Illinois and Missouri, and had nine classes, namely, 1st, 2d, 3d, 4th, 5th, A, B, C, D, and E. The same company had in effect on transcontinental business the two Pacific Coast classifications east and west-bound.

The Saint Louis and San Francisco used the Western, Missouri State, and Pacific Coast, and afterward the Joint Texas classification.

The Milwaukee, Lake Shore and Western classification revised to October 1, 1886, on all local business, also on all business between points on their line and Milwaukee and Chicago. The only other classification they were using January 1, 1887, was the revised Western, which applied on business between Chicago and Milwaukee and Ashland and Duluth; also between points on the Southern Division of their road called the Fox River territory, and points on the west of the Mississippi River including Saint Paul.

The Chicago, Milwaukee and Saint Paul Railway used the Wisconsin classification on business between points in Wisconsin and the Illinois Commissioners' classification locally in Illinois; while on business from Chicago to Milwaukee originating at the sea-board they used the Trunk Line classification and on all other traffic the Western classification.

The Kansas City, Fort Scott and Memphis Railroad used three classifications on interstate business. The Western applied between points on their line west of and including Memphis. The Southern Railway and Steamship applied between points on the line east of Memphis, and the Joint Texas applied from all points on the line both east and west of Memphis to all points in Texas and all points in Arkansas, excepting those situated on their own line proper. They also applied the Southern Railway and Steamship classification on business from Missouri River territory, and points on their line to what is known as the Mississippi Valley territory, including New Orleans, Vicksburg, Mobile, Meridian, Jackson, Yazoo City, Greenville, Huntington, Baton Rouge, Port Hickey, and Port Hudson. At various times they issued through rates from New York and the Atlantic sea-board to points in Arkansas based on the Trunk Line or the Official classification. That company is still using the same classifications

*Rates were shown after each article; also the same rule was observed in the Mexican classification.

as above with the exception that the Western has been substituted for the Joint Texas. This, they inform me, will also be made to apply to all points in Arkansas as soon as a meeting can be arranged between the Arkansas lines, which it is expected will be done at an early day. The Kansas City, Fort Scott and Memphis also used the Missouri State and the Mississippi State classifications between points in those States.

The Kansas City, Saint Joseph and Council Bluffs Railroad used the Western, Middle and Western States and Southern Railway and Steamship Association and the Joint Texas classification.

The Hannibal and Saint Joseph used the Western, Middle and Western States and Southern Railway and Steamship and Pacific Coast west-bound.

Uniformity in freight classification.—Call for representative meeting.

CHICAGO, November 15, 1888.

The conference consisting of representatives from each of the leading traffic associations of the country, which it was agreed should be held for the purpose of determining what progress can be made toward unifying the several freight classifications now in use, will assemble in the city of Chicago, in the rooms of the Western Freight Association, in the Rookery building, 217 La Salle street, at 10.30 a. m., Tuesday, December 4, ensuing. The delegates who have thus far been appointed are—

- By the Transcontinental Association: J. C. Stubbs, general traffic manager Southern Pacific Railway; J. E. Goddard, third vice president Atchison, Topeka and Santa Fé Railway; J. M. Hannaford, traffic manager Northern Pacific Railway.
- By the International Association: J. G. Schriever, traffic manager Atlantic systems, Southern Pacific Railway, G. W. Cale, general freight agent Saint Louis and San Francisco Railway, S. B. Hynes, general freight agent Atchison, Topeka and Santa Fé Railway.
- By the Western Freight Association: Paul Morton, general freight agent Chicago, Burlington and Quincy Railroad, A. C. Bird, general freight agent Chicago, Milwaukee and Saint Paul Railway, M. Knight, general freight agent Wabash Western Railway.
- By the Southern Railway and Steamship Association: A. Pope, general freight agent Norfolk and Western Railway, W. H. Stanford, vice-president Old Dominion Steamship Company, G. A. Whitehead, general freight agent Central Railroad, Georgia.
- By the Central Traffic Association: J. T. R. McKay, general freight agent Lake Shore and Michigan Southern Railway, C. E. Gill, general freight agent Grand Rapids and Indiana Railway, G. G. Cochrane, western freight traffic manager New York, Lake Erie and Western Railway.
- By the Trunk Line Association: F. H. Kingsbury, through freight manager Pennsylvania Railroad, W. S. Sloan, general freight agent Delaware, Lackawanna and Western Railway, E. I. Crawford, general eastern agent New York Central and Hudson River Railroad.

In addition, three representatives are to be appointed from the roads in New England, also three from the Mississippi Valley, *i. e.*, the territory north of the Southern Railway and Steamship Association, and south of the Ohio and east of the Mississippi River. From the latter territory the Cincinnati, New Orleans and Texas, Louisville and Nashville, and Illinois Central have been requested to send representatives. The road first named has appointed Mr. R. X. Ryan, its general freight agent. Mr. Albert Fink will attend to the appointment of the three from New England.

It has further been requested that Mr. R. G. Stevenson, of the Trunk Line Commission, and Mr. Paul P. Rainer, of the Central Traffic Association, who acted as secretaries of the special classification committee during the past year, should attend and again serve in a like capacity, and they are accordingly so notified.

Delay has been experienced in issuing the call, with the view of ascertaining when the representatives from the Transcontinental Association could attend, as they travel the longest distance. The first week in December was therefore fixed upon; and as Chicago had, at an informal meeting with the Eastern lines, been agreed upon as the place, the conference will, as first hereinbefore recited, be held in this city, on Tuesday, December 4, ensuing, commencing at 10.30 a. m.

J. W. MIDGLEY,
Chairman.

APPENDIX F.

THE GOVERNMENT-AIDED RAILROAD AND TELEGRAPH LINES.

(1)

ACT OF AUGUST 7, 1888.

AN ACT supplementary to the act of July first, eighteen hundred and sixty-two, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," and also of the act of July second, eighteen hundred and sixty-four, and other acts amendatory of said first-named act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain, and operate, for railroad, Governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

SEC. 2. That whenever any telegraph company which shall have accepted the provisions of title sixty-five of the Revised Statutes shall extend its line to any station or office of a telegraph line belonging to any one of said railroad or telegraph companies, referred to in the first section of this act, said telegraph company so extending its line shall have the right and said railroad or telegraph company shall allow the line of said telegraph company so extending its line to connect with the telegraph line of said railroad or telegraph company to which it is extended at the place where their lines may meet, for the prompt and convenient interchange of telegraph business between said companies; and such railroad and telegraph companies, referred to in the first section of this act, shall so operate their respective telegraph lines as to afford equal facilities to all, without discrimination in favor of or against any person, company, or corporation whatever, and shall receive, deliver, and exchange business with connecting telegraph lines on equal terms, and affording equal facilities, and without discrimination for or against any one of such connecting lines; and such exchange of business shall be on terms just and equitable.

SEC. 3. That if any such railroad or telegraph company referred to in the first section of this act, or company operating such railroad or telegraph line shall refuse or fail, in whole or in part, to maintain, and operate a telegraph line as provided in this act and acts to which this is supplementary, for the use of the Government or the public, for commercial and other purposes, without discrimination, or shall refuse or fail to make or continue such arrangements for the interchange of business with any connecting telegraph company, then any person, company, corporation, or connecting telegraph company may apply for relief to the Interstate Commerce Commission, whose duty it shall thereupon be, under such rules and regulations as said Commission may prescribe, to ascertain the facts, and determine and order what arrangement is proper to be made in the particular case, and the railroad or telegraph company concerned shall abide by and perform such order; and it shall be the duty of the Interstate Commerce Commission, when such determination and order are made, to notify the parties concerned, and, if necessary, enforce the same by writ of mandamus in the courts of the United States, in the name of the United States, at the relation of either of said Interstate Commerce Commissioners: *Provided*, That the said Commissioners may institute any inquiry, upon their own motion, in the same manner and to the same effect as though complaint had been made.

SEC. 4. That in order to secure and preserve to the United States the full value and benefit of its liens upon all the telegraph lines required to be constructed by and

lawfully belonging to said railroad and telegraph companies referred to in the first section of this act, and to have the same possessed, used, and operated in conformity with the provisions of this act and of the several acts to which this act is supplementary, it is hereby made the duty of the Attorney-General of the United States, by proper proceedings, to prevent any unlawful interference with the rights and equities of the United States under this act, and under the acts hereinbefore mentioned, and under all acts of Congress relating to such railroads and telegraph lines, and to have legally ascertained and finally adjudicated all alleged rights of all persons and corporations whatever claiming in any manner any control or interest of any kind in any telegraph lines or property, or exclusive rights of way upon the lands of said railroad companies, or any of them, and to have all contracts and provisions of contracts set aside and annulled which have been unlawfully and beyond their powers entered into by said railroad or telegraph companies, or any of them, with any other person, company, or corporation.

SEC. 5. That any officer or agent of said railroad or telegraph companies, or of any company operating the railroads and telegraph lines of said companies, who shall refuse or fail to operate the telegraph lines of said railroad or telegraph companies under his control, or which he is engaged in operating, in the manner directed in this act and by the acts to which it is supplementary, or who shall refuse or fail, in such operation and use, to afford and secure to the Government and the public equal facilities, or to secure to each of said connecting telegraph lines equal advantages and facilities in the interchange of business, as herein provided for, without any discrimination whatever for or adverse to the telegraph line of any or either of said connecting companies, or shall refuse to abide by, or perform and carry out within a reasonable time the order or orders of the Interstate Commerce Commission, shall in every such case of refusal or failure be guilty of a misdemeanor, and, on conviction thereof, shall in every such case be fined in a sum not exceeding one thousand dollars, and may be imprisoned not less than six months; and in every such case of refusal or failure the party aggrieved may not only cause the officer or agent guilty thereof to be prosecuted under the provisions of this section, but may also bring an action for the damages sustained thereby against the company whose officer or agent may be guilty thereof, in the circuit or district court of the United States in any State or Territory in which any portion of the road or telegraph line of said company may be situated; and in case of suit process may be served upon any agent of the company found in such State or Territory, and such service shall be held by the court good and sufficient.

SEC. 6. That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of said claim, and the manner in which the same are being then used and operated; and it shall be the duty of each and every one of said railroad and telegraph companies annually hereafter to report to the Interstate Commerce Commission, with reasonable fullness and certainty, the nature, extent, value, and condition of the telegraph lines and property then belonging to it, the gross earnings, and all expenses of maintenance, use, and operation thereof, and its relation and business with all connecting telegraph companies during the preceding year, at such time and in such manner as may be required by a system of reports which said Commission shall prescribe: and if any of said railroad or telegraph companies shall refuse or fail to make such reports or any report as may be called for by said Commission, or refuse to submit its books and records for inspection, such neglect or refusal shall operate as a forfeiture, in each case of such neglect or refusal, of a sum not less than one thousand dollars nor more than five thousand dollars, to be recovered by the Attorney-General of the United States, in the name and for the use and benefit of the United States; and it shall be the duty of the Interstate Commerce Commission to inform the Attorney-General of all such cases of neglect or refusal, whose duty it shall be to proceed at once to judicially enforce the forfeitures hereinbefore provided.

SEC. 7. That nothing in this act shall be construed to affect or impair the right of Congress, at any time hereafter, to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal, as, in the opinion of Congress, justice or the public welfare may require; and nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in the United States, or any authority that the Postmaster-General now has under title sixty-five of the Revised Statutes to fix rates, or, of the

Government, to purchase lines as provided under said title, or to have its messages given precedence in transmission.
 , Approved, August 7, 1888.

INTERSTATE COMMERCE COMMISSION,
 OFFICE OF THE SECRETARY,
 Washington, October 26, 1888.

To the _____:

Your attention is called to the provisions of the act of Congress approved August 7, 1888, entitled "An act supplementary to the act of July 1, 1862, entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' and also of the act of July 2, 1864, and other acts amendatory of said first-named act."

Certain duties are devolved by this act upon the Interstate Commerce Commission, and the railroad and telegraph companies referred to in the act are required to file with the Commission copies of all contracts and agreements described in its provisions.

Section 6 of the act contains this provision: That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of such claim, and the manner in which the same are being then used and operated.

The duty imposed by this section has not yet been complied with by your company. The Commission calls your attention to this omission, and urges your compliance with the duty enjoined upon you as speedily as possible.

The first section of the act is as follows: That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain and operate, for railroad, governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

You will also report to the Commission to what extent, and in what manner, the provisions of this section are complied with by your company.

Pursuant to the third section of said act you will also report to this Commission whether you maintain and operate a telegraph line as provided in the acts of Congress, for the use of the Government, or the public, for commercial and other purposes, without discrimination, and whether you have made, and continue, such arrangements for the interchange of business with any connecting telegraph company.

It is important that the matters herein brought to your attention should be communicated to the Commission with all reasonable promptitude.

By order of the Interstate Commerce Commission:

Very respectfully,

EDW. A. MOSELEY,
 Secretary.

LIST OF CARRIERS SUBJECT TO SAID ACT.

The following railroad and telegraph companies have been granted by the Government subsidies or rights of way to assist in building telegraphs:

Atchison, Topeka and Santa Fé R. R.,
 Atlantic and Pacific R. R.,
 Central Pacific R. R.,
 Hannibal and Saint Joseph R. R.,
 Missouri Pacific R. R.,
 Northern Pacific R. R.,
 Oregon and California R. R.,

Saint Joseph and Western R. R. (since merged in the Saint Joseph and Grand Island R. R.),
 Sioux City and Pacific R. R.,
 Southern Pacific Co.,
 Texas and Pacific Ry.,
 Union Pacific Ry.,
 United States Telegraph Co.

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Volume 12, United States Statutes at Large.

Act of June 16, 1860 (page 41): An act to facilitate communication between the Atlantic and Pacific States by electric telegraph. Right of way given to telegraph companies. Transmission of messages shall be impartial.

Act of January 31, 1862 (page 334): An act to authorize the President of the United States in certain cases to take possession of railroad and telegraph companies, and for other purposes.

Original act of July 1, 1862 (page 489) in regard to Pacific Railroads:

SEC. 1. The telegraph to extend from the 100th meridian between the south margin of the valley of the Republican River and the north margin of the Platte River in Nebraska, to the western boundary of Nevada.

SEC. 2. Right of way through public lands is granted for the construction of railroad and telegraph; and the company has the right to use such materials adjacent to the line of railroad as is necessary for the construction of the road and telegraph line; right of way is granted for 200 feet on each side of railroad, including all lands for stations, shops, etc.

SEC. 3. There is granted to the company for the construction of the railroad and telegraph line every alternate section of public land designated by odd numbers to the amount of five alternate sections per mile on each side of said railroad within the limits of 10 miles on each side of said railroad, not sold or otherwise disposed of by the United States and to which no pre-emption claim is attached at the time line of road is definitely fixed, provided they are not mineral lands.

SEC. 4. Grants aforesaid are made on condition that the railroad and telegraph are kept in repair and use, and shall at all times transmit dispatches over said telegraph line, and the Government shall have preference in their use.

SEC. 7. Railroad and telegraph to be completed before the 1st of July, 1874.

SEC. 8. The line of telegraph to commence at a point on the one hundredth meridian within the boundaries above named to be fixed by the president; then to run westerly upon the most direct, central, and practicable route through the Territories of the United States to the western boundary of Nevada, there to connect with the Central Pacific Railroad Company of California.

SEC. 9. The Leavenworth, Pawnee and Western Railroad Company of Kansas are authorized to build road and telegraph line from Missouri River at mouth of Kansas River west to connect with the Pacific Railroad of Missouri on the one hundredth meridian. The Central Pacific Railroad Company of California are authorized to construct a railroad and telegraph line from San Francisco to the eastern boundary of California, upon the same terms as the Pacific Railroad Company of Missouri, to connect with the same on the eastern boundary of California.

SEC. 10. The Hannibal and Saint Joseph and the Pacific Railroad of Missouri may unite with the Kansas Company upon the same conditions as aforespecified.

SEC. 13. The Hannibal and Saint Joseph Railroad Company is authorized to construct an additional line from Saint Joseph via Atchison, to connect with the roads through Kansas upon filing its assent to the provisions of this act, upon same terms as are provided for the construction of the railroad and telegraph line first mentioned.

SEC. 14. That the said Union Pacific Railroad Company is authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of Iowa to connect with the lines of said company at some point on the one hundredth meridian. Power given Pacific Railroad Company to build railroad and telegraph from Sioux City to a connection with the Union Pacific.

SEC. 17. If the road or telegraph is not completed within a reasonable time, or not kept in repair and use, Congress shall pass an act to insure its speedy completion or put it in repair and use and the expenses of the same shall be paid out of income of railroad.

SEC. 19. That the several railroad companies named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or along the line of said railroad and branches as fast as said railroad and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfillment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated, without prejudice to the rights of said railroad companies named herein.

Act of March 3, 1863 (page 772): That there be granted to the State of Kansas for the purpose of aiding in the construction, first, of a railroad and telegraph from the city of Leavenworth via Lawrence and via Ohio City Crossing on the Osage River to the southern line of the State in the direction of Galveston Bay, in Texas, and with a branch from Lawrence by the valley of the Wakarusa River to a point on the Atchison, Topeka and Santa Fé Railroad, where said railroad intersects the Neosho River, every alternate section of public land for ten sections in width on each side of said road and branches.

Volume 13, United States Statutes at Large.

Act of July 1, 1864 (page 340): Grant was given to Perry McD. Collins for right of way in the construction of a telegraph line to British America.

Act of July 2, 1864 (page 362), amending act of July 1, 1862:

SEC. 15. The several Pacific roads and telegraph lines are to be used as one continuous line. Each of the several roads must have equal facilities and advantages. The proprietors of any line of telegraph authorized by this act must transmit messages for all persons. Upon failure, subject to fine of \$100 for each offense and to other damages the party may suffer.

SEC. 16. The several companies may consolidate and construct the road and telegraph together.

Act of July 2, 1864 (page 366), incorporating the Northern Pacific Railroad Company:

SEC. 1. Telegraph line to extend from Lake Superior to Puget Sound.

SEC. 2. The company has right of way through the public lands and it can take such material adjacent to the road as is necessary for its construction. Every alternate section of land granted to aid in construction.

SEC. 5. There shall be constructed a telegraph line to be operated along the entire route. The Government must not be charged higher rates than individuals.

Act of July 2, 1864 (page 373): The United States Telegraph Company is authorized to construct a telegraph line from the Missouri River to San Francisco. The company is given right of way and land for establishment of stations, not exceeding at any one station one quarter-section of land, such stations not to exceed one in every fifteen miles; also given privilege to erect telegraph from Fort Hall to Portland, with same privileges as to right of way. This company must accept dispatches from other lines established by authority or aid of Congress to connect with lines authorized by the English or Russian Governments, and such dispatches shall be transmitted in the order of their reception.

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Act of July 3, 1866 (page 80): The Union Pacific Railroad Company (Eastern Division) shall connect their line of railroad and telegraph with the Union Pacific at a point not more than fifty miles westwardly from the meridian of Denver. The Union Pacific and the Central Pacific are authorized to continue building their lines so as to meet.

Act of July 13, 1866 (page 94): Right of way granted to the Placerville and Sacramento Railroad Company (now Sacramento and Placerville) for the construction of a railroad and telegraph; material given for construction from side of road; 100 feet on each side of road given; necessary ground for stations, etc.; alternate sections of land granted; the telegraph line to be established of the most substantial kind and of the most approved description and to be operated on entire route; both railroad and telegraph to be finished by July 4, 1869. Railroad to run from Folsom to Placerville in the State of California.

Act of July 24, 1866 (page 221): Telegraph companies may construct lines of telegraph over public domain. Telegrams of Government must have preference.

SEC. 3. Rights and privileges hereby granted can not be transferred to any other corporation, association, or person. Government can purchase such lines.

Act of July 26, 1866 (page 286): Public lands granted to the State of Kansas to aid the Union Pacific Railroad, Southern Branch, to construct a railroad and telegraph from Fort Riley, Kansas, to the southern line of the State of Kansas. If not completed within ten years unpatented lands to revert to Government.

Act of July 27, 1866 (page 292): The telegraph line of the Atlantic and Pacific Telegraph Company to commence at a point near Springfield, Missouri, and to extend to the Pacific.

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SEC. 3. There is granted to the company for the construction of the railroad and telegraph line every alternate section of public land designated by odd numbers to the amount of five alternate sections per mile on each side of said railroad within the limits of 10 miles on each side of said railroad, not sold or otherwise disposed of by the United States and to which no pre-emption claim is attached at the time line of road is definitely fixed, provided they are not mineral lands.

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SEC. 7. Railroad and telegraph to be completed before the 1st of July, 1874.

SEC. 8. The line of telegraph to commence at a point on the one hundredth meridian within the boundaries above named to be fixed by the president; then to run westerly upon the most direct, central, and practicable route through the Territories of the United States to the western boundary of Nevada, there to connect with the Central Pacific Railroad Company of California.

SEC. 9. The Leavenworth, Pawnee and Western Railroad Company of Kansas are authorized to build road and telegraph line from Missouri River at mouth of Kansas River west to connect with the Pacific Railroad of Missouri on the one hundredth meridian. The Central Pacific Railroad Company of California are authorized to construct a railroad and telegraph line from San Francisco to the eastern boundary of California, upon the same terms as the Pacific Railroad Company of Missouri, to connect with the same on the eastern boundary of California.

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SEC. 14. That the said Union Pacific Railroad Company is authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of Iowa to connect with the lines of said company at some point on the one hundredth meridian. Power given Pacific Railroad Company to build railroad and telegraph from Sioux City to a connection with the Union Pacific.

SEC. 17. If the road or telegraph is not completed within a reasonable time, or not kept in repair and use, Congress shall pass an act to insure its speedy completion or put it in repair and use and the expenses of the same shall be paid out of income of railroad.

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SEC. 17. If the road or telegraph is not completed within a reasonable time, or not kept in repair and use, Congress shall pass an act to insure its speedy completion or put it in repair and use and the expenses of the same shall be paid out of income of railroad.

SEC. 19. That the several railroad companies named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or along the line of said railroad and branches as fast as said railroad and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfillment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated, without prejudice to the rights of said railroad companies named herein.

Act of March 3, 1863 (page 772): That there be granted to the State of Kansas for the purpose of aiding in the construction, first, of a railroad and telegraph from the city of Leavenworth via Lawrence and via Ohio City Crossing on the Osage River to the southern line of the State in the direction of Galveston Bay, in Texas, and with a branch from Lawrence by the valley of the Wakarusa River to a point on the Atchison, Topeka and Santa Fé Railroad, where said railroad intersects the Neosho River, every alternate section of public land for ten sections in width on each side of said road and branches.

Volume 13, United States Statutes at Large.

Act of July 1, 1864 (page 340): Grant was given to Perry McD. Collins for right of way in the construction of a telegraph line to British America.

Act of July 2, 1864 (page 362), amending act of July 1, 1862:

SEC. 15. The several Pacific roads and telegraph lines are to be used as one continuous line. Each of the several roads must have equal facilities and advantages. The proprietors of any line of telegraph authorized by this act must transmit messages for all persons. Upon failure, subject to fine of \$100 for each offense and to other damages the party may suffer.

SEC. 16. The several companies may consolidate and construct the road and telegraph together.

Act of July 2, 1864 (page 366), incorporating the Northern Pacific Railroad Company:

SEC. 1. Telegraph line to extend from Lake Superior to Puget Sound.

SEC. 2. The company has right of way through the public lands and it can take such material adjacent to the road as is necessary for its construction. Every alternate section of land granted to aid in construction.

SEC. 5. There shall be constructed a telegraph line to be operated along the entire route. The Government must not be charged higher rates than individuals.

Act of July 2, 1864 (page 373): The United States Telegraph Company is authorized to construct a telegraph line from the Missouri River to San Francisco. The company is given right of way and land for establishment of stations, not exceeding at any one station one quarter-section of land, such stations not to exceed one in every fifteen miles; also given privilege to erect telegraph from Fort Hall to Portland, with same privileges as to right of way. This company must accept dispatches from other lines established by authority or aid of Congress to connect with lines authorized by the English or Russian Governments, and such dispatches shall be transmitted in the order of their reception.

SEC. 4. The several railroad companies authorized by the act of July 1, 1862, are authorized to enter into arrangements with the United States Telegraph Company.

Volume 14, United States Statutes at Large.

Act of July 3, 1866 (page 80): The Union Pacific Railroad Company (Eastern Division) shall connect their line of railroad and telegraph with the Union Pacific at a point not more than fifty miles westwardly from the meridian of Denver. The Union Pacific and the Central Pacific are authorized to continue building their lines so as to meet.

Act of July 13, 1866 (page 94): Right of way granted to the Placerville and Sacramento Railroad Company (now Sacramento and Placerville) for the construction of a railroad and telegraph; material given for construction from side of road; 100 feet on each side of road given; necessary ground for stations, etc.; alternate sections of land granted; the telegraph line to be established of the most substantial kind and of the most approved description and to be operated on entire route; both railroad and telegraph to be finished by July 4, 1869. Railroad to run from Folsom to Placerville in the State of California.

Act of July 24, 1866 (page 221): Telegraph companies may construct lines of telegraph over public domain. Telegrams of Government must have preference.

SEC. 3. Rights and privileges hereby granted can not be transferred to any other corporation, association, or person. Government can purchase such lines.

Act of July 26, 1866 (page 286): Public lands granted to the State of Kansas to aid the Union Pacific Railroad, Southern Branch, to construct a railroad and telegraph from Fort Riley, Kansas, to the southern line of the State of Kansas. If not completed within ten years unpatented lands to revert to Government.

Act of July 27, 1866 (page 292): The telegraph line of the Atlantic and Pacific Telegraph Company to commence at a point near Springfield, Missouri, and to extend to the Pacific.

SEC. 2. Right of way granted and materials necessary to its construction given.

SEC. 3. Every alternate section of land granted, designated by odd numbers.

SEC. 5. A telegraph line to be operated along the entire line. ~~Must charge~~ Government same rate as individuals.

Act of May 7, 1865 (page 355): Resolution extending time of completion of the Union Pacific Railroad, Eastern Division.

Volume 15, United States Statutes at Large.

Act of June 25, 1868 (page 79): SEC. 2. The Northern Pacific, the Atlantic and Pacific, and the Southern Pacific shall file annual reports with the Secretary of the Interior, the same as is required of the Union Pacific.

Act of June 25, 1868 (page 80): Extension of time granted to the Central Pacific Railway for its completion.

Act of July 25, 1868 (page 171): Money appropriated for facilitating communication between Atlantic and Pacific States by telegraph.

Act of March 3, 1869 (page 324): The Union Pacific may contract with the Denver Pacific for the construction of its road and telegraph between Denver City and Cheyenne.

SEC. 2. The Union Pacific Railway shall extend its railroad and telegraph to a connection at Denver, so as to form, with that part of its line operated by the Denver Pacific, a continuous line of railroad and telegraph from Kansas City by way of Denver to Cheyenne. The same rights given to Denver Pacific as Union Pacific had. The Union Pacific not allowed to fix the rates of tariff for the Denver Pacific.

Volume 16, United States Statutes at Large.

Act of April 10, 1869 (page 56): Joint resolution for the protection of the interests of the United States in the Union and Central Pacific Railroads. Common terminus of the Union and Central Pacific Railroads to be at or near Ogden.

Act of April 10, 1869 (page 57): Right given to Northern Pacific Railroad to extend its branch line from Portland to Puget Sound and connect same to its main line west of the Cascade Mountains. This extension to be made upon same conditions as are in incorporating act.

Act of May 4, 1870 (page 94): Land grant to Oregon Central Railroad and Telegraph Company. Road to extend from Portland to Astoria and from a suitable point of junction near Forest Grove to the Yamhill River near McMinnville in the State of Oregon. Right of way granted, one hundred feet on each side of track; material for construction allowed to be taken from side of road. Alternate sections of land granted. Net proceeds from sales of granted lands to be put aside as sinking fund for the purchase of bonds. Twenty miles to be completed within two years, and whole road in six years.

Act of May 31, 1870 (page 378). Resolution authorizing the Northern Pacific to issue bonds and secure the same by mortgage.

Act of June 28, 1870 (page 382). The Southern Pacific Railroad may construct its railroad and telegraph line on the route indicated by map filed in the Department of the Interior January 3, 1867. Upon the construction of each section it shall be the duty of the Secretary of the Interior to cause patents to be issued to the company.

Act of December 15, 1870 (page 395). Lands granted to the Utah Central Railroad Company for construction of railroad and telegraph from Ogden to Salt Lake City. Material for its construction allowed to be taken from side of road. Two hundred feet on each side of road granted. Government to have same rates for telegraphic service and transportation as are charged individuals. Connections can be made by certain other railroads.

Act of March 3, 1871 (page 573). The Texas Pacific Railroad and Telegraph Company incorporated. The railroad and telegraph to extend from Marshall, Tex., to El Paso, thence through New Mexico and Arizona to the Rio Colorado at or near the southern boundary of the State of California, thence to San Diego, Cal. Right of way granted, with two hundred feet on each side of the road. Alternate sections of land granted.

Volume 17, United States Statutes at Large.

Act of April 12, 1872 (page 52). Right of way granted to the Portland, Dallas and Salt Lake Railroad Company and Telegraph, with lands for depots, etc.

Act of June 4, 1872 (page 219). Supplementary to the act of 1866 that the National Ocean Telegraph Company has the right to pre-empt and use public lands at various stations in Florida and other places.

Act of June 4, 1872 (page 224). Right of way granted through public lands in Florida for railroad and telegraph purposes.

Act of June 8, 1872 (page 339). Right of way granted the Denver and Rio Grande Railway Company for construction of railroad and telegraph.

Act of June 8, 1872 (page 343). That the New Mexico and Gulf Railway Company is granted right of way from the northwestern boundary of New Mexico to San Juan with the Rio Manco through Santa Fé County down the Pecos River Valley in the State of Texas. Right of way given, with necessary lands for stations, etc., and other needful purposes in operating the said line of railroad and telegraph, not exceeding 20 acres in one place.

Volume 18, United States Statutes at Large.

Act of June 20, 1874 (page 111). An act imposing penalties upon the Pacific Railroads on their failure to operate their roads and telegraph lines as one continuous line or for making discriminations between the different roads. The railway of the Denver Pacific Railway and Telegraph Company shall be deemed and taken to be a part and extension of the road of the Kansas Pacific Railroad to the point of junction thereof with the road of the Union Pacific Railroad Company at Cheyenne, as provided in the act of March 3, 1869.

Act of June 23, 1874 (page 274). Right of way granted through public lands to Arkansas Valley Railroad Company and Telegraph Line. No land grant; only right of way.

Act of February 5, 1875 (page 306). The Oregon Pacific Railway is granted the right of way and depot grounds for its road and telegraph line. No land grant; only right of way.

Volume 19, United States Statutes at Large.

Act of July 24, 1876 (page 101). An act forfeiting all lands granted to the State of Kansas to aid in the construction of a railroad commencing at Leavenworth, Kans., and extending to a point on the Atchison, Topeka and Santa Fé Railroad, except those which have been patented or earned by the road by completion of the road in compliance with the act.

Volume 20, United States Statutes at Large.

Act of May 7, 1878 (page 56). An act amending the original act of July 1, 1862, so as to secure the Government from loss on failure of the Pacific roads to comply with the provisions of their charters.

TELEGRAPH COMPANIES WHICH HAVE ACCEPTED THE PROVISIONS OF THE ACT OF JULY 24, 1866, AND OF TITLE 65 OF THE REVISED STATUTES.

The following is a list of telegraph companies that have filed acceptance of the provisions of the act of July 24, 1866, up to the 29th day of June, 1888:

- *1. The American Submarine Telegraph Company, of New York, N. Y. Received and filed July 24, 1866.
- *2. The National Telegraph Company, of New York, N. Y. Received and filed July 30, 1866.
- *3. The Globe Insulated Lines Telegraph Company, of New York, N. Y. Received and filed July 31, 1866.
4. International Telegraph Company, of Portland, Me. Received and filed October 6, 1866.
5. The Atlantic and Pacific Telegraph Company, of New York, N. Y. Received and filed March 19, 1867.
- *6. The Franco-American Land and Ocean Telegraph Company, of New York, N. Y. Received and filed April 6, 1867.
- *7. The Globe Telegraph Company, of New York. Received and filed May 30, 1867.
- *8. Mississippi Valley National Telegraph Company, of Saint Louis, Mo. Received and filed June 4, 1867.
9. Western Union Telegraph Company, of New York. Received and filed June 8, 1867.
10. Northwestern Telegraph Company, of Kenosha, Wis. Received and filed July 30, 1867.
- *11. Great Western Telegraph Company, of New York. Received and filed January 17, 1868.
- *12. The Franklin Telegraph Company, of Boston, Mass. Received and filed April 17, 1868.
- *13. The Insulated Lines Telegraph Company, of Boston, Mass. Received and filed April 13, 1868.

* These companies are supposed to be no longer in existence.

as above with the exception that the Western has been substituted for the Joint Texas. This, they inform me, will also be made to apply to all points in Arkansas as soon as a meeting can be arranged between the Arkansas lines, which it is expected will be done at an early day. The Kansas City, Fort Scott and Memphis also used the Missouri State and the Mississippi State classifications between points in those States.

The Kansas City, Saint Joseph and Council Bluffs Railroad used the Western, Middle and Western States and Southern Railway and Steamship Association and the Joint Texas classification.

The Hannibal and Saint Joseph used the Western, Middle and Western States and Southern Railway and Steamship and Pacific Coast west-bound.

Uniformity in freight classification.—Call for representative meeting.

CHICAGO, November 15, 1888.

The conference consisting of representatives from each of the leading traffic associations of the country, which it was agreed should be held for the purpose of determining what progress can be made toward unifying the several freight classifications now in use, will assemble in the city of Chicago, in the rooms of the Western Freight Association, in the Rookery building, 217 La Salle street, at 10.30 a. m., Tuesday, December 4, ensuing. The delegates who have thus far been appointed are—

By the Transcontinental Association: J. C. Stubbs, general traffic manager Southern Pacific Railway; J. F. Goddard, third vice president Atchison, Topeka and Santa Fé Railway; J. M. Hannaford, traffic manager Northern Pacific Railway.

By the International Association: J. G. Schriever, traffic manager Atlantic systems, Southern Pacific Railway, G. W. Cale, general freight agent Saint Louis and San Francisco Railway, S. B. Hynes, general freight agent Atchison, Topeka and Santa Fé Railway.

By the Western Freight Association: Paul Morton, general freight agent Chicago, Burlington and Quincy Railroad, A. C. Bird, general freight agent Chicago, Milwaukee and Saint Paul Railway, M. Knight, general freight agent Wabash Western Railway.

By the Southern Railway and Steamship Association: A. Pope, general freight agent Norfolk and Western Railway, W. H. Stanford, vice-president Old Dominion Steamship Company, G. A. Whitehead, general freight agent Central Railroad, Georgia.

By the Central Traffic Association: J. T. R. McKay, general freight agent Lake Shore and Michigan Southern Railway, C. E. Gill, general freight agent Grand Rapids and Indiana Railway, G. G. Cochrane, western freight traffic manager New York, Lake Erie and Western Railway.

By the Trunk Line Association: F. H. Kingsbury, through freight manager Pennsylvania Railroad, W. S. Sloan, general freight agent Delaware, Lackawanna and Western Railway, R. I. Crawford, general eastern agent New York Central and Hudson River Railroad.

In addition, three representatives are to be appointed from the roads in New England, also three from the Mississippi Valley, *i. e.*, the territory north of the Southern Railway and Steamship Association, and south of the Ohio and east of the Mississippi River. From the latter territory the Cincinnati, New Orleans and Texas, Louisville and Nashville, and Illinois Central have been requested to send representatives. The road first named has appointed Mr. R. X. Ryan, its general freight agent. Mr. Albert Fink will attend to the appointment of the three from New England.

It has further been requested that Mr. R. G. Stevenson, of the Trunk Line Commission, and Mr. Paul P. Rainer, of the Central Traffic Association, who acted as secretaries of the special classification committee during the past year, should attend and again serve in a like capacity, and they are accordingly so notified.

Delay has been experienced in issuing the call, with the view of ascertaining when the representatives from the Transcontinental Association could attend, as they travel the longest distance. The first week in December was therefore fixed upon; and as Chicago had, at an informal meeting with the Eastern lines, been agreed upon as the place, the conference will, as first hereinbefore recited, be held in this city, on Tuesday, December 4, ensuing, commencing at 10.30 a. m.

J. W. MIDGLEY,
Chairman.

APPENDIX F.

THE GOVERNMENT-AIDED RAILROAD AND TELEGRAPH LINES.

(1)

ACT OF AUGUST 7, 1888.

AN ACT supplementary to the act of July first, eighteen hundred and sixty-two, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," and also of the act of July second, eighteen hundred and sixty-four, and other acts amendatory of said first-named act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain, and operate, for railroad, Governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

SEC. 2. That whenever any telegraph company which shall have accepted the provisions of title sixty-five of the Revised Statutes shall extend its line to any station or office of a telegraph line belonging to any one of said railroad or telegraph companies, referred to in the first section of this act, said telegraph company so extending its line shall have the right and said railroad or telegraph company shall allow the line of said telegraph company so extending its line to connect with the telegraph line of said railroad or telegraph company to which it is extended at the place where their lines may meet, for the prompt and convenient interchange of telegraph business between said companies; and such railroad and telegraph companies, referred to in the first section of this act, shall so operate their respective telegraph lines as to afford equal facilities to all, without discrimination in favor of or against any person, company, or corporation whatever, and shall receive, deliver, and exchange business with connecting telegraph lines on equal terms, and affording equal facilities, and without discrimination for or against any one of such connecting lines; and such exchange of business shall be on terms just and equitable.

SEC. 3. That if any such railroad or telegraph company referred to in the first section of this act, or company operating such railroad or telegraph line shall refuse or fail, in whole or in part, to maintain, and operate a telegraph line as provided in this act and acts to which this is supplementary, for the use of the Government or the public, for commercial and other purposes, without discrimination, or shall refuse or fail to make or continue such arrangements for the interchange of business with any connecting telegraph company, then any person, company, corporation, or connecting telegraph company may apply for relief to the Interstate Commerce Commission, whose duty it shall thereupon be, under such rules and regulations as said Commission may prescribe, to ascertain the facts, and determine and order what arrangement is proper to be made in the particular case, and the railroad or telegraph company concerned shall abide by and perform such order; and it shall be the duty of the Interstate Commerce Commission, when such determination and order are made, to notify the parties concerned, and, if necessary, enforce the same by writ of mandamus in the courts of the United States, in the name of the United States, at the relation of either of said Interstate Commerce Commissioners: *Provided*, That the said Commissioners may institute any inquiry, upon their own motion, in the same manner and to the same effect as though complaint had been made.

SEC. 4. That in order to secure and preserve to the United States the full value and benefit of its liens upon all the telegraph lines required to be constructed by and

as above with the exception that the Western has been substituted for the Joint Texas. This, they inform me, will also be made to apply to all points in Arkansas as soon as a meeting can be arranged between the Arkansas lines, which it is expected will be done at an early day. The Kansas City, Fort Scott and Memphis also used the Missouri State and the Mississippi State classifications between points in those States.

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In addition, three representatives are to be appointed from the roads in New England, also three from the Mississippi Valley, *i. e.*, the territory north of the Southern Railway and Steamship Association, and south of the Ohio and east of the Mississippi River. From the latter territory the Cincinnati, New Orleans and Texas, Louisville and Nashville, and Illinois Central have been requested to send representatives. The road first named has appointed Mr. R. X. Ryan, its general freight agent. Mr. Albert Fink will attend to the appointment of the three from New England.

It has further been requested that Mr. R. G. Stevenson, of the Trunk Line Commission, and Mr. Paul P. Rainer, of the Central Traffic Association, who acted as secretaries of the special classification committee during the past year, should attend and again serve in a like capacity, and they are accordingly so notified.

Delay has been experienced in issuing the call, with the view of ascertaining when the representatives from the Transcontinental Association could attend, as they travel the longest distance. The first week in December was therefore fixed upon; and as Chicago had, at an informal meeting with the Eastern lines, been agreed upon as the place, the conference will, as first hereinbefore recited, be held in this city, on Tuesday, December 4, ensuing, commencing at 10.30 a. m.

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Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain, and operate, for railroad, Governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

SEC. 2. That whenever any telegraph company which shall have accepted the provisions of title sixty-five of the Revised Statutes shall extend its line to any station or office of a telegraph line belonging to any one of said railroad or telegraph companies, referred to in the first section of this act, said telegraph company so extending its line shall have the right and said railroad or telegraph company shall allow the line of said telegraph company so extending its line to connect with the telegraph line of said railroad or telegraph company to which it is extended at the place where their lines may meet, for the prompt and convenient interchange of telegraph business between said companies; and such railroad and telegraph companies, referred to in the first section of this act, shall so operate their respective telegraph lines as to afford equal facilities to all, without discrimination in favor of or against any person, company, or corporation whatever, and shall receive, deliver, and exchange business with connecting telegraph lines on equal terms, and affording equal facilities, and without discrimination for or against any one of such connecting lines; and such exchange of business shall be on terms just and equitable.

SEC. 3. That if any such railroad or telegraph company referred to in the first section of this act, or company operating such railroad or telegraph line shall refuse or fail, in whole or in part, to maintain, and operate a telegraph line as provided in this act and acts to which this is supplementary, for the use of the Government or the public, for commercial and other purposes, without discrimination, or shall refuse or fail to make or continue such arrangements for the interchange of business with any connecting telegraph company, then any person, company, corporation, or connecting telegraph company may apply for relief to the Interstate Commerce Commission, whose duty it shall thereupon be, under such rules and regulations as said Commission may prescribe, to ascertain the facts, and determine and order what arrangement is proper to be made in the particular case, and the railroad or telegraph company concerned shall abide by and perform such order; and it shall be the duty of the Interstate Commerce Commission, when such determination and order are made, to notify the parties concerned, and, if necessary, enforce the same by writ of mandamus in the courts of the United States, in the name of the United States, at the relation of either of said Interstate Commerce Commissioners: *Provided*, That the said Commissioners may institute any inquiry, upon their own motion, in the same manner and to the same effect as though complaint had been made.

SEC. 4. That in order to secure and preserve to the United States the full value and benefit of its liens upon all the telegraph lines required to be constructed by and

lawfully belonging to said railroad and telegraph companies referred to in the first section of this act, and to have the same possessed, used, and operated in conformity with the provisions of this act and of the several acts to which this act is supplementary, it is hereby made the duty of the Attorney-General of the United States, by proper proceedings, to prevent any unlawful interference with the rights and equities of the United States under this act, and under the acts hereinbefore mentioned, and under all acts of Congress relating to such railroads and telegraph lines, and to have legally ascertained and finally adjudicated all alleged rights of all persons and corporations whatever claiming in any manner any control or interest of any kind in any telegraph lines or property, or exclusive rights of way upon the lands of said railroad companies, or any of them, and to have all contracts and provisions of contracts set aside and annulled which have been unlawfully and beyond their powers entered into by said railroad or telegraph companies, or any of them, with any other person, company, or corporation.

SEC. 5. That any officer or agent of said railroad or telegraph companies, or of any company operating the railroads and telegraph lines of said companies, who shall refuse or fail to operate the telegraph lines of said railroad or telegraph companies under his control, or which he is engaged in operating, in the manner directed in this act and by the acts to which it is supplementary, or who shall refuse or fail, in such operation and use, to afford and secure to the Government and the public equal facilities, or to secure to each of said connecting telegraph lines equal advantages and facilities in the interchange of business, as herein provided for, without any discrimination whatever for or adverse to the telegraph line of any or either of said connecting companies, or shall refuse to abide by, or perform and carry out within a reasonable time the order or orders of the Interstate Commerce Commission, shall in every such case of refusal or failure be guilty of a misdemeanor, and, on conviction thereof, shall in every such case be fined in a sum not exceeding one thousand dollars, and may be imprisoned not less than six months; and in every such case of refusal or failure the party aggrieved may not only cause the officer or agent guilty thereof to be prosecuted under the provisions of this section, but may also bring an action for the damages sustained thereby against the company whose officer or agent may be guilty thereof, in the circuit or district court of the United States in any State or Territory in which any portion of the road or telegraph line of said company may be situated; and in case of suit process may be served upon any agent of the company found in such State or Territory, and such service shall be held by the court good and sufficient.

SEC. 6. That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of said claim, and the manner in which the same are being then used and operated; and it shall be the duty of each and every one of said railroad and telegraph companies annually hereafter to report to the Interstate Commerce Commission, with reasonable fullness and certainty, the nature, extent, value, and condition of the telegraph lines and property then belonging to it, the gross earnings, and all expenses of maintenance, use, and operation thereof, and its relation and business with all connecting telegraph companies during the preceding year, at such time and in such manner as may be required by a system of reports which said Commission shall prescribe: and if any of said railroad or telegraph companies shall refuse or fail to make such reports or any report as may be called for by said Commission, or refuse to submit its books and records for inspection, such neglect or refusal shall operate as a forfeiture, in each case of such neglect or refusal, of a sum not less than one thousand dollars nor more than five thousand dollars, to be recovered by the Attorney-General of the United States, in the name and for the use and benefit of the United States; and it shall be the duty of the Interstate Commerce Commission to inform the Attorney-General of all such cases of neglect or refusal, whose duty it shall be to proceed at once to judicially enforce the forfeitures hereinbefore provided.

SEC. 7. That nothing in this act shall be construed to affect or impair the right of Congress, at any time hereafter, to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal, as, in the opinion of Congress, justice or the public welfare may require; and nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in the United States, or any authority that the Postmaster-General now has under title sixty-five of the Revised Statutes to fix rates, or, of the

Government, to purchase lines as provided under said title, or to have its messages given precedence in transmission.
 , Approved, August 7, 1888.

INTERSTATE COMMERCE COMMISSION,
 OFFICE OF THE SECRETARY,
 Washington, October 26, 1888.

To the _____:

Your attention is called to the provisions of the act of Congress approved August 7, 1888, entitled "An act supplementary to the act of July 1, 1862, entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' and also of the act of July 2, 1864, and other acts amendatory of said first-named act."

Certain duties are devolved by this act upon the Interstate Commerce Commission, and the railroad and telegraph companies referred to in the act are required to file with the Commission copies of all contracts and agreements described in its provisions.

Section 6 of the act contains this provision: That it shall be the duty of each and every one one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of such claim, and the manner in which the same are being then used and operated.

The duty imposed by this section has not yet been complied with by your company. The Commission calls your attention to this omission, and urges your compliance with the duty enjoined upon you as speedily as possible.

The first section of the act is as follows: That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain and operate, for railroad, governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

You will also report to the Commission to what extent, and in what manner, the provisions of this section are complied with by your company.

Pursuant to the third section of said act you will also report to this Commission whether you maintain and operate a telegraph line as provided in the acts of Congress, for the use of the Government, or the public, for commercial and other purposes, without discrimination, and whether you have made, and continue, such arrangements for the interchange of business with any connecting telegraph company.

It is important that the matters herein brought to your attention should be communicated to the Commission with all reasonable promptitude.

By order of the Interstate Commerce Commission:

Very respectfully,

EDW. A. MOSELEY,
 Secretary.

LIST OF CARRIERS SUBJECT TO SAID ACT.

The following railroad and telegraph companies have been granted by the Government subsidies or rights of way to assist in building telegraphs:

Atchison, Topeka and Santa Fe R. R.,
 Atlantic and Pacific R. R.,
 Central Pacific R. R.,
 Hannibal and Saint Joseph R. R.,
 Missouri Pacific R. R.,
 Northern Pacific R. R.,
 Oregon and California R. R.,

Saint Joseph and Western R. R. (since merged in the Saint Joseph and Grand Island R. R.),
 Sioux City and Pacific R. R.,
 Southern Pacific Co.,
 Texas and Pacific Ry.,
 Union Pacific Ry.,
 United States Telegraph Co.

REFERENCES TO ACTS IN THE UNITED STATES STATUTES AT LARGE IN RELATION TO RAILROADS AND TELEGRAPHS AIDED BY GOVERNMENT SUBSIDIES OR GRANTS OF RIGHTS OF WAY.

Volume 12, United States Statutes at Large.

Act of June 16, 1860 (page 41): An act to facilitate communication between the Atlantic and Pacific States by electric telegraph. Right of way given to telegraph companies. Transmission of messages shall be impartial.

Act of January 31, 1862 (page 334): An act to authorize the President of the United States in certain cases to take possession of railroad and telegraph companies, and for other purposes.

Original act of July 1, 1862 (page 489) in regard to Pacific Railroads:

SEC. 1. The telegraph to extend from the 100th meridian between the south margin of the valley of the Republican River and the north margin of the Platte River in Nebraska, to the western boundary of Nevada.

SEC. 2. Right of way through public lands is granted for the construction of railroad and telegraph; and the company has the right to use such materials adjacent to the line of railroad as is necessary for the construction of the road and telegraph line; right of way is granted for 200 feet on each side of railroad, including all lands for stations, shops, etc.

SEC. 3. There is granted to the company for the construction of the railroad and telegraph line every alternate section of public land designated by odd numbers to the amount of five alternate sections per mile on each side of said railroad within the limits of 10 miles on each side of said railroad, not sold or otherwise disposed of by the United States and to which no pre-emption claim is attached at the time line of road is definitely fixed, provided they are not mineral lands.

SEC. 6. Grants aforesaid are made on condition that the railroad and telegraph are kept in repair and use, and shall at all times transmit dispatches over said telegraph line, and the Government shall have preference in their use.

SEC. 7. Railroad and telegraph to be completed before the 1st of July, 1874.

SEC. 8. The line of telegraph to commence at a point on the one hundredth meridian within the boundaries above named to be fixed by the president; then to run westerly upon the most direct, central, and practicable route through the Territories of the United States to the western boundary of Nevada, there to connect with the Central Pacific Railroad Company of California.

SEC. 9. The Leavenworth, Pawnee and Western Railroad Company of Kansas are authorized to build road and telegraph line from Missouri River at mouth of Kansas River west to connect with the Pacific Railroad of Missouri on the one hundredth meridian. The Central Pacific Railroad Company of California are authorized to construct a railroad and telegraph line from San Francisco to the eastern boundary of California, upon the same terms as the Pacific Railroad Company of Missouri, to connect with the same on the eastern boundary of California.

SEC. 10. The Hannibal and Saint Joseph and the Pacific Railroad of Missouri may unite with the Kansas Company upon the same conditions as abovespecified.

SEC. 13. The Hannibal and Saint Joseph Railroad Company is authorized to construct an additional line from Saint Joseph via Atchison, to connect with the roads through Kansas upon filing its assent to the provisions of this act, upon same terms as are provided for the construction of the railroad and telegraph line first mentioned.

SEC. 14. That the said Union Pacific Railroad Company is authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of Iowa to connect with the lines of said company at some point on the one hundredth meridian. Power given Pacific Railroad Company to build railroad and telegraph from Sioux City to a connection with the Union Pacific.

SEC. 17. If the road or telegraph is not completed within a reasonable time, or not kept in repair and use, Congress shall pass an act to insure its speedy completion or put it in repair and use and the expenses of the same shall be paid out of income of railroad.

SEC. 19. That the several railroad companies named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or along the line of said railroad and branches as fast as said railroad and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfillment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated, without prejudice to the rights of said railroad companies named herein.

Act of March 3, 1863 (page 772): That there be granted to the State of Kansas for the purpose of aiding in the construction, first, of a railroad and telegraph from the city of Leavenworth via Lawrence and via Ohio City Crossing on the Osage River to the southern line of the State in the direction of Galveston Bay, in Texas, and with a branch from Lawrence by the valley of the Wakarusa River to a point on the Atchison, Topeka and Santa Fé Railroad, where said railroad intersects the Neosho River, every alternate section of public land for ten sections in width on each side of said road and branches.

Volume 13, United States Statutes at Large.

Act of July 1, 1864 (page 340): Grant was given to Perry McD. Collins for right of way in the construction of a telegraph line to British America.

Act of July 2, 1864 (page 362), amending act of July 1, 1862:

SEC. 15. The several Pacific roads and telegraph lines are to be used as one continuous line. Each of the several roads must have equal facilities and advantages. The proprietors of any line of telegraph authorized by this act must transmit messages for all persons. Upon failure, subject to fine of \$100 for each offense and to other damages the party may suffer.

SEC. 16. The several companies may consolidate and construct the road and telegraph together.

Act of July 2, 1864 (page 366), incorporating the Northern Pacific Railroad Company:

SEC. 1. Telegraph line to extend from Lake Superior to Puget Sound.

SEC. 2. The company has right of way through the public lands and it can take such material adjacent to the road as is necessary for its construction. Every alternate section of land granted to aid in construction.

SEC. 5. There shall be constructed a telegraph line to be operated along the entire route. The Government must not be charged higher rates than individuals.

Act of July 2, 1864 (page 373): The United States Telegraph Company is authorized to construct a telegraph line from the Missouri River to San Francisco. The company is given right of way and land for establishment of stations, not exceeding at any one station one quarter-section of land, such stations not to exceed one in every fifteen miles; also given privilege to erect telegraph from Fort Hall to Portland, with same privileges as to right of way. This company must accept dispatches from other lines established by authority or aid of Congress to connect with lines authorized by the English or Russian Governments, and such dispatches shall be transmitted in the order of their reception.

SEC. 4. The several railroad companies authorized by the act of July 1, 1862, are authorized to enter into arrangements with the United States Telegraph Company.

Volume 14, United States Statutes at Large.

Act of July 3, 1866 (page 80): The Union Pacific Railroad Company (Eastern Division) shall connect their line of railroad and telegraph with the Union Pacific at a point not more than fifty miles westwardly from the meridian of Denver. The Union Pacific and the Central Pacific are authorized to continue building their lines so as to meet.

Act of July 13, 1866 (page 94): Right of way granted to the Placerville and Sacramento Railroad Company (now Sacramento and Placerville) for the construction of a railroad and telegraph; material given for construction from side of road; 100 feet on each side of road given; necessary ground for stations, etc.; alternate sections of land granted; the telegraph line to be established of the most substantial kind and of the most approved description and to be operated on entire route; both railroad and telegraph to be finished by July 4, 1869. Railroad to run from Folsom to Placerville in the State of California.

Act of July 24, 1866 (page 221): Telegraph companies may construct lines of telegraph over public domain. Telegrams of Government must have preference.

SEC. 3. Rights and privileges hereby granted can not be transferred to any other corporation, association, or person. Government can purchase such lines.

Act of July 26, 1866 (page 286): Public lands granted to the State of Kansas to aid the Union Pacific Railroad, Southern Branch, to construct a railroad and telegraph from Fort Riley, Kansas, to the southern line of the State of Kansas. If not completed within ten years unpatented lands to revert to Government.

Act of July 27, 1866 (page 292): The telegraph line of the Atlantic and Pacific Telegraph Company to commence at a point near Springfield, Missouri, and to extend to the Pacific.

SEC. 2. Right of way granted and materials necessary to its construction given.

SEC. 3. Every alternate section of land granted, designated by odd numbers.

SEC. 5. A telegraph line to be operated along the entire line. ~~Must charge~~ Government same rate as individuals.

Act of May 7, 1865 (page 355): Resolution extending time of completion of the Union Pacific Railroad, Eastern Division.

Volume 15, United States Statutes at Large.

Act of June 25, 1868 (page 79): SEC. 2. The Northern Pacific, the Atlantic and Pacific, and the Southern Pacific shall file annual reports with the Secretary of the Interior, the same as is required of the Union Pacific.

Act of June 25, 1868 (page 80): Extension of time granted to the Central Pacific Railway for its completion.

Act of July 25, 1868 (page 171): Money appropriated for facilitating communication between Atlantic and Pacific States by telegraph.

Act of March 3, 1869 (page 324): The Union Pacific may contract with the Denver Pacific for the construction of its road and telegraph between Denver City and Cheyenne.

SEC. 2. The Union Pacific Railway shall extend its railroad and telegraph to a connection at Denver, so as to form, with that part of its line operated by the Denver Pacific, a continuous line of railroad and telegraph from Kansas City by way of Denver to Cheyenne. The same rights given to Denver Pacific as Union Pacific had. The Union Pacific not allowed to fix the rates of tariff for the Denver Pacific.

Volume 16, United States Statutes at Large.

Act of April 10, 1869 (page 56): Joint resolution for the protection of the interests of the United States in the Union and Central Pacific Railroads. Common terminus of the Union and Central Pacific Railroads to be at or near Ogden.

Act of April 10, 1869 (page 57): Right given to Northern Pacific Railroad to extend its branch line from Portland to Puget Sound and connect same to its main line west of the Cascade Mountains. This extension to be made upon same conditions as are in incorporating act.

Act of May 4, 1870 (page 94): Land grant to Oregon Central Railroad and Telegraph Company. Road to extend from Portland to Astoria and from a suitable point of junction near Forest Grove to the Yamhill River near McMinnville in the State of Oregon. Right of way granted, one hundred feet on each side of track; material for construction allowed to be taken from side of road. Alternate sections of land granted. Net proceeds from sales of granted lands to be put aside as sinking fund for the purchase of bonds. Twenty miles to be completed within two years, and whole road in six years.

Act of May 31, 1870 (page 378). Resolution authorizing the Northern Pacific to issue bonds and secure the same by mortgage.

Act of June 28, 1870 (page 382). The Southern Pacific Railroad may construct its railroad and telegraph line on the route indicated by map filed in the Department of the Interior January 3, 1867. Upon the construction of each section it shall be the duty of the Secretary of the Interior to cause patents to be issued to the company.

Act of December 15, 1870 (page 395). Lands granted to the Utah Central Railroad Company for construction of railroad and telegraph from Ogden to Salt Lake City. Material for its construction allowed to be taken from side of road. Two hundred feet on each side of road granted. Government to have same rates for telegraphic service and transportation as are charged individuals. Connections can be made by certain other railroads.

Act of March 3, 1871 (page 573). The Texas Pacific Railroad and Telegraph Company incorporated. The railroad and telegraph to extend from Marshall, Tex., to El Paso, thence through New Mexico and Arizona to the Rio Colorado at or near the southern boundary of the State of California, thence to San Diego, Cal. Right of way granted, with two hundred feet on each side of the road. Alternate sections of land granted.

Volume 17, United States Statutes at Large.

Act of April 12, 1872 (page 52). Right of way granted to the Portland, Dallas and Salt Lake Railroad Company and Telegraph, with lands for depots, etc.

Act of June 4, 1872 (page 219). Supplementary to the act of 1866 that the National Ocean Telegraph Company has the right to pre-empt and use public lands at various stations in Florida and other places.

Act of June 4, 1872 (page 224). Right of way granted through public lands in Florida for railroad and telegraph purposes.

Act of June 8, 1872 (page 339). Right of way granted the Denver and Rio Grande Railway Company for construction of railroad and telegraph.

Act of June 8, 1872 (page 343). That the New Mexico and Gulf Railway Company is granted right of way from the northwestern boundary of New Mexico to San Juan with the Rio Manco through Santa Fé County down the Pecos River Valley in the State of Texas. Right of way given, with necessary lands for stations, etc., and other needful purposes in operating the said line of railroad and telegraph, not exceeding 20 acres in one place.

Volume 18, United States Statutes at Large.

Act of June 20, 1874 (page 111). An act imposing penalties upon the Pacific Railroads on their failure to operate their roads and telegraph lines as one continuous line or for making discriminations between the different roads. The railway of the Denver Pacific Railway and Telegraph Company shall be deemed and taken to be a part and extension of the road of the Kansas Pacific Railroad to the point of junction thereof with the road of the Union Pacific Railroad Company at Cheyenne, as provided in the act of March 3, 1869.

Act of June 23, 1874 (page 274). Right of way granted through public lands to Arkansas Valley Railroad Company and Telegraph Line. No land grant; only right of way.

Act of February 5, 1875 (page 306). The Oregon Pacific Railway is granted the right of way and depot grounds for its road and telegraph line. No land grant; only right of way.

Volume 19, United States Statutes at Large.

Act of July 24, 1876 (page 101). An act forfeiting all lands granted to the State of Kansas to aid in the construction of a railroad commencing at Leavenworth, Kans., and extending to a point on the Atchison, Topeka and Santa Fé Railroad, except those which have been patented or earned by the road by completion of the road in compliance with the act.

Volume 20, United States Statutes at Large.

Act of May 7, 1878 (page 56). An act amending the original act of July 1, 1862, so as to secure the Government from loss on failure of the Pacific roads to comply with the provisions of their charters.

TELEGRAPH COMPANIES WHICH HAVE ACCEPTED THE PROVISIONS OF THE ACT OF JULY 24, 1866, AND OF TITLE 65 OF THE REVISED STATUTES.

The following is a list of telegraph companies that have filed acceptance of the provisions of the act of July 24, 1866, up to the 29th day of June, 1888:

- *1. The American Submarine Telegraph Company, of New York, N. Y. Received and filed July 24, 1866.
- *2. The National Telegraph Company, of New York, N. Y. Received and filed July 30, 1866.
- *3. The Globe Insulated Lines Telegraph Company, of New York, N. Y. Received and filed July 31, 1866.
4. International Telegraph Company, of Portland, Me. Received and filed October 6, 1866.
5. The Atlantic and Pacific Telegraph Company, of New York, N. Y. Received and filed March 19, 1867.
- *6. The Franco-American Land and Ocean Telegraph Company, of New York, N. Y. Received and filed April 6, 1867.
- *7. The Globe Telegraph Company, of New York. Received and filed May 30, 1867.
- *8. Mississippi Valley National Telegraph Company, of Saint Louis, Mo. Received and filed June 4, 1867.
9. Western Union Telegraph Company, of New York. Received and filed June 8, 1867.
10. Northwestern Telegraph Company, of Kenosha, Wis. Received and filed July 30, 1867.
- *11. Great Western Telegraph Company, of New York. Received and filed January 17, 1868.
- *12. The Franklin Telegraph Company, of Boston, Mass. Received and filed April 17, 1868.
- *13. The Insulated Lines Telegraph Company, of Boston, Mass. Received and filed April 13, 1868.

* These companies are supposed to be no longer in existence.

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- *14. Pacific and Atlantic Telegraph Company, of Pittsburgh, Pa. Received and filed July 22, 1868.
- *15. The Atlantic and Pacific States Telegraph Company, of Sacramento, Cal. Received and filed September 7, 1868.
- *16. The Eastern Telegraph Company, of Philadelphia, Pa. Received and filed October 5, 1868.
- *17. The Delaware River Telegraph Company, of Philadelphia, Pa. Received and filed October 23, 1868.
- *18. Cape May and Shore Telegraph Company, of New York City. Received and filed April 2, 1869.
- *19. Peninsula Telegraph Company, of New York City. Received and filed May 9, 1869.
- 20. Ocean Telegraph Company, of Boston, Mass. Received and filed July 15, 1869.
- *21. The American Cable Company, of New York. Received and filed April 15, 1870.
- *22. Southern and Atlantic Telegraph Company, of Philadelphia, Pa. Received and filed July 22, 1870.
- 23. International Ocean Telegraph Company, of New York City. Received and filed January 20, 1871.
- *24. Missouri River Telegraph Company, of Sioux City, Iowa. Received and filed May 3, 1871.
- 25. The Marine and Inland Telegraph Company, of New Jersey, 715 Locust street, Philadelphia. Received and filed November 27, 1872.
- 26. Atlantic and Pacific Telegraph Company, of Missouri; executive office, 145 Broadway, New York City. Received and filed May 8, 1877.
- 27. New Jersey and New England Telegraph Company. Received and filed November 21, 1878. Address A. L. Worthington, No. 10 Green street, Trenton, N. J.
- 28. The American Rapid Telegraph Company, 41 Wall street, New York. Received and filed April 12, 1879. Special rates received and filed April 1, 1881.
- *29. Central Union Telegraph Company, 145 Broadway, New York. Received and filed May 9, 1879.
- *30. New York Land and Ocean Telegraph Company. Received and filed May 10, 1879.
- 31. Deseret Telegraph Company, Salt Lake City, Utah. Received and filed May 19, 1879.
- 32. American Union Telegraph Company, of New York, 145 Broadway, New York. Received and filed July 1, 1879.
- 33. The American Union Telegraph Company of Missouri, Charles S. Greeley, president, Saint Louis, Mo. Received and filed July 9, 1879.
- 34. Wabash Railway Company, Cyrus W. Field, president, New York. Received and filed July 11, 1879.
- *35. The American Union Telegraph Company of New Jersey, D. H. Bates, president, Jersey City, N. J. Received and filed July 17, 1879.
- *36. The Baltimore and Ohio Railroad Company of Maryland, John W. Garrett, president, Baltimore, Md. Received and filed July 18, 1879.
- *37. The American Union Telegraph Company of Baltimore City, Md. Received and filed July 31, 1879.
- *38. The Deer Lodge Telegraph Company, of Butte City, Mont. Received and filed August 30, 1879.
- 39. The American Union Telegraph Company of Pennsylvania, D. H. Bates, president, Philadelphia. Received and filed September 4, 1879.
- 40. The American Union Telegraph Company of Indiana, La Fayette, Ind. Received and filed September 12, 1879.
- *41. The Cheyenne and Black Hills Telegraph Company, W. H. Hibbard, superintendent, Cheyenne, Wyo. Received and filed November 7, 1879.
- 42. The American Union Telegraph Company of Ohio, Frank B. Swayne, president, Toledo, Ohio. Received and filed November 8, 1879.
- 43. The American Union Telegraph Company of Louisiana, Ed. Leloup, secretary, New Orleans, La. Received and filed March 1, 1880.
- *44. Baltimore and Ohio Telegraph Company of Ohio, George Hoadley, president, Cincinnati, Ohio. Received and filed September 3, 1880.
- 45. The Wabash, Saint Louis and Pacific Railway Company of Saint Louis, Mo., Solon Humphreys, president, No. 80 Broadway, New York. Received and filed September 13, 1880.
- *46. Baltimore and Ohio Telegraph Company of Illinois, C. H. Hudson, president, No. 81 South Clark street, Chicago, Ill. Received and filed September 23, 1880.
- 47. Frontier Telegraph Company of Texas, G. O. Appleby, president, Lampasas, Tex. Received and filed October 25, 1880.
- *48. Bankers and Merchants' Telegraph Company of New Jersey, J. Heron Coosman, president, No. 58 Broadway, New York, N. Y. Received and filed April 21, 1881.

* These companies are supposed to be no longer in existence.

49. Bankers and Merchants' Telegraph Company of New York, William W. Maris, president, No. 58 Broadway, New York, N. Y. Received and filed June 8, 1881.
50. Mutual Union Telegraph Company of Illinois, Carroll Sprigg, secretary, Chicago, Ill. Received and filed October 24, 1881.
51. Mutual Union Telegraph Company of Missouri, Carroll Sprigg, secretary, Chicago, Ill. Received and filed November 14, 1881.
- *52. New Jersey Mutual Telegraph Company, John H. Walker, secretary, Newark, N. J. Received and filed November 17, 1881.
53. Bankers and Merchants' Telegraph Company, William W. Maris, president, 58 Broadway, New York. Received and filed December 8, 1881.
- *54. The Baltimore and Ohio Telegraph Company, Welty McCullogh, secretary, Pittsburgh, Pa. Received and filed March 6, 1882.
55. East Tennessee Telephone Company, D. J. Carson, secretary, New York. Received and filed May 31, 1882.
56. Southern Telegraph Company, James F. Cox, president, 48 Exchange Place, New York. Received and filed August 4, 1882.
57. Postal Telegraph Company, A. W. Beard, president, 2 Wall street, New York. Received and filed August 31, 1882.
58. Bankers and Merchants' Telegraph Company of Baltimore City, J. G. Case, secretary, 58 Broadway, New York. Received and filed December 14, 1882.
59. Mutual Union Telegraph Company of New York, John G. Moore, president. Received and filed March 5, 1883.
- *60. The Baltimore and Ohio Telegraph Company in Pennsylvania, J. B. Washington, secretary, Pittsburgh, Pa. Received and filed March 17, 1883.
- *61. The Baltimore and Ohio Telegraph Company of Indiana, George P. Frick, president; Daniel T. Downey, secretary. Received and filed July 17, 1883.
- *62. The Baltimore and Ohio Telegraph Company of the State of New York, George P. Frick, president; Edward R. Golliday, secretary. Received and filed July 17, 1883.
- *63. The Northern and Southern Telegraph Company, corner State and Bridge streets, New York City, John F. Davis, president; William H. Harfield, secretary. Received and filed September 28, 1883.
- *64. Baltimore and Ohio Telegraph Company of New Jersey, George P. Frick, president; Edward R. Golliday, secretary. Received and filed November 7, 1883.
65. National Telegraph Company of New York, Calvin S. Brice, president; F. E. Worcester, secretary. Received and filed January 31, 1884.
66. Philadelphia and Seaboard Telegraph Company of New Jersey, Milton Cowperthwaite, secretary. Received and filed February 23, 1884.
67. Providence and Pascoag Telegraph Company of Rhode Island, D. H. Bates, president; F. Jessen, secretary. Received and filed July 10, 1884.
- *68. Baltimore and Ohio Telegraph Company of Missouri, George P. Frick, president. Received and filed July 18, 1884.
- *69. Baltimore and Ohio Telegraph Company of Louisiana, D. H. Bates, president. Received and filed July 25, 1884.
70. The New England Telegraph Company, F. A. McKeone, president. Received and filed July 26, 1884.
- *71. The Baltimore and Ohio Telegraph Company of Texas, D. H. Bates, president. Received and filed August 13, 1884.
72. The New England Telegraph Company of Massachusetts, Dan. S. Robeson, New York, vice-president. Received and filed September 5, 1884.
73. The Chesapeake and Ohio Telegraph Lines, C. W. Smith, general manager, Richmond, Va. Received and filed September 29, 1884.
- *74. The Baltimore and Ohio Telegraph Company of Massachusetts, D. H. Bates, president. Received and filed December 15, 1884.
75. The Postal Telegraph and Cable Company, Henry Rosener, second vice-president. Received and filed January 29, 1885.
76. The Pacific Telegraph Company, George H. Meyers, secretary. Received and filed July 27, 1885.
- *77. The Baltimore and Ohio Telegraph Company of Baltimore County, Maryland, D. H. Bates, president. Received and filed February 20, 1886.
78. Postal Telegraph-Cable Company, James H. Withington, president. Received and filed April 6, 1886.
79. The North American Telegraph Company, W. H. Eustis, secretary. Received and filed April 22, 1886.
80. The San Juan Telegraph Company, W. E. Block, secretary, Ouray, Colo. Received and filed June 9, 1886.
81. Pacific Postal Telegraph-Cable Company, Henry Rosener, president, New York, N. Y. Received and filed July 20, 1886.
- *82. The Baltimore and Ohio Telegraph Company of Pennsylvania, R. Duryea, secretary, Baltimore, Md. Received and filed September 11, 1886.

* These companies are supposed to be no longer in existence.

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83. The Manhattan Railway Company, D. W. McWilliams, secretary, New York, N. Y. Received and filed October 6, 1886.
84. The Pacific Mutual Telegraph Company, George M. Meyers, secretary, Rosedale, Kans. Received and filed February 24, 1887.
85. The Empire and Bay State Telegraph Company, Henry Macdona, secretary, New York, N. Y. Received and filed July 12, 1887.
86. The Spokane Falls and Wardner Telephone-Telegraph Lines, W. S. Norman, owner, Spokane Falls, Washington Territory. Received and filed August 17, 1887.
87. The Rocky Mountain Telegraph Company, W. M. Cairns, general manager, Butte, Mont. Received and filed August 18, 1887.
88. The Central Arizona Telegraph Company, L. H. Wilson, president, Prescott, Ariz. Received and filed October 6, 1887.
89. W. S. Norman's United States Military Telegraph Line. Between Fort Cœur d'Alene and Spokane Falls. W. S. Norman, Spokane Falls, Wash. Received and filed October 13, 1887.
90. The Wyoming Inland Telegraph Company, F. B. Proctor, secretary, Buffalo, Wyo. Received and filed October 19, 1887.
91. The Chicago Postal Telegraph Company, Marcus Pollasky, president, Chicago, Ill. Received and filed January 3, 1888.

APPENDIX G.

FORM OF ANNUAL REPORT CALLED FOR BY THE INTERSTATE
COMMERCE COMMISSION OF THE UNITED STATES
FOR THE YEAR ENDING JUNE 30, 1888.

EXEMPLIFIED BY THE

ANNUAL REPORT OF NORTHERN PACIFIC RAILROAD COMPANY TO THE
INTERSTATE COMMERCE COMMISSION OF THE UNITED
STATES FOR THE YEAR ENDING JUNE 30, 1888.

RECEIVED SEPTEMBER 26, 1888.

lawfully belonging to said railroad and telegraph companies referred to in the first section of this act, and to have the same possessed, used, and operated in conformity with the provisions of this act and of the several acts to which this act is supplementary, it is hereby made the duty of the Attorney-General of the United States, by proper proceedings, to prevent any unlawful interference with the rights and equities of the United States under this act, and under the acts hereinbefore mentioned, and under all acts of Congress relating to such railroads and telegraph lines, and to have legally ascertained and finally adjudicated all alleged rights of all persons and corporations whatever claiming in any manner any control or interest of any kind in any telegraph lines or property, or exclusive rights of way upon the lands of said railroad companies, or any of them, and to have all contracts and provisions of contracts set aside and annulled which have been unlawfully and beyond their powers entered into by said railroad or telegraph companies, or any of them, with any other person, company, or corporation.

SEC. 5. That any officer or agent of said railroad or telegraph companies, or of any company operating the railroads and telegraph lines of said companies, who shall refuse or fail to operate the telegraph lines of said railroad or telegraph companies under his control, or which he is engaged in operating, in the manner directed in this act and by the acts to which it is supplementary, or who shall refuse or fail, in such operation and use, to afford and secure to the Government and the public equal facilities, or to secure to each of said connecting telegraph lines equal advantages and facilities in the interchange of business, as herein provided for, without any discrimination whatever for or adverse to the telegraph line of any or either of said connecting companies, or shall refuse to abide by, or perform and carry out within a reasonable time the order or orders of the Interstate Commerce Commission, shall in every such case of refusal or failure be guilty of a misdemeanor, and, on conviction thereof, shall in every such case be fined in a sum not exceeding one thousand dollars, and may be imprisoned not less than six months; and in every such case of refusal or failure the party aggrieved may not only cause the officer or agent guilty thereof to be prosecuted under the provisions of this section, but may also bring an action for the damages sustained thereby against the company whose officer or agent may be guilty thereof, in the circuit or district court of the United States in any State or Territory in which any portion of the road or telegraph line of said company may be situated; and in case of suit process may be served upon any agent of the company found in such State or Territory, and such service shall be held by the court good and sufficient.

SEC. 6. That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of said claim, and the manner in which the same are being then used and operated; and it shall be the duty of each and every one of said railroad and telegraph companies annually hereafter to report to the Interstate Commerce Commission, with reasonable fullness and certainty, the nature, extent, value, and condition of the telegraph lines and property then belonging to it, the gross earnings, and all expenses of maintenance, use, and operation thereof, and its relation and business with all connecting telegraph companies during the preceding year, at such time and in such manner as may be required by a system of reports which said Commission shall prescribe: and if any of said railroad or telegraph companies shall refuse or fail to make such reports or any report as may be called for by said Commission, or refuse to submit its books and records for inspection, such neglect or refusal shall operate as a forfeiture, in each case of such neglect or refusal, of a sum not less than one thousand dollars nor more than five thousand dollars, to be recovered by the Attorney-General of the United States, in the name and for the use and benefit of the United States; and it shall be the duty of the Interstate Commerce Commission to inform the Attorney-General of all such cases of neglect or refusal, whose duty it shall be to proceed at once to judicially enforce the forfeitures hereinbefore provided.

SEC. 7. That nothing in this act shall be construed to affect or impair the right of Congress, at any time hereafter, to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal, as, in the opinion of Congress, justice or the public welfare may require; and nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in the United States, or any authority that the Postmaster-General now has under title sixty-five of the Revised Statutes to fix rates, or, of the

Government, to purchase lines as provided under said title, or to have its messages given precedence in transmission.
 , Approved, August 7, 1888.

INTERSTATE COMMERCE COMMISSION,
 OFFICE OF THE SECRETARY,
 Washington, October 26, 1888.

To the _____ :

Your attention is called to the provisions of the act of Congress approved August 7, 1888, entitled "An act supplementary to the act of July 1, 1862, entitled 'An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes,' and also of the act of July 2, 1864, and other acts amendatory of said first-named act."

Certain duties are devolved by this act upon the Interstate Commerce Commission, and the railroad and telegraph companies referred to in the act are required to file with the Commission copies of all contracts and agreements described in its provisions.

Section 6 of the act contains this provision: That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of such claim, and the manner in which the same are being then used and operated.

The duty imposed by this section has not yet been complied with by your company. The Commission calls your attention to this omission, and urges your compliance with the duty enjoined upon you as speedily as possible.

The first section of the act is as follows: That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain and operate, for railroad, governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

You will also report to the Commission to what extent, and in what manner, the provisions of this section are complied with by your company.

Pursuant to the third section of said act you will also report to this Commission whether you maintain and operate a telegraph line as provided in the acts of Congress, for the use of the Government, or the public, for commercial and other purposes, without discrimination, and whether you have made, and continue, such arrangements for the interchange of business with any connecting telegraph company.

It is important that the matters herein brought to your attention should be communicated to the Commission with all reasonable promptitude.

By order of the Interstate Commerce Commission :

Very respectfully,

EDW. A. MOSELEY,
 Secretary.

LIST OF CARRIERS SUBJECT TO SAID ACT.

The following railroad and telegraph companies have been granted by the Government subsidies or rights of way to assist in building telegraphs:

Atchison, Topeka and Santa Fe R. R.,
 Atlantic and Pacific R. R.,
 Central Pacific R. R.,
 Hannibal and Saint Joseph R. R.,
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Saint Joseph and Western R. R. (since merged in the Saint Joseph and Grand Island R. R.),
 Sioux City and Pacific R. R.,
 Southern Pacific Co.,
 Texas and Pacific Ry.,
 Union Pacific Ry.,
 United States Telegraph Co.

lawfully belonging to said railroad and telegraph companies referred to in the first section of this act, and to have the same possessed, used, and operated in conformity with the provisions of this act and of the several acts to which this act is supplementary, it is hereby made the duty of the Attorney-General of the United States, by proper proceedings, to prevent any unlawful interference with the rights and equities of the United States under this act, and under the acts hereinbefore mentioned, and under all acts of Congress relating to such railroads and telegraph lines, and to have legally ascertained and finally adjudicated all alleged rights of all persons and corporations whatever claiming in any manner any control or interest of any kind in any telegraph lines or property, or exclusive rights of way upon the lands of said railroad companies, or any of them, and to have all contracts and provisions of contracts set aside and annulled which have been unlawfully and beyond their powers entered into by said railroad or telegraph companies, or any of them, with any other person, company, or corporation.

SEC. 5. That any officer or agent of said railroad or telegraph companies, or of any company operating the railroads and telegraph lines of said companies, who shall refuse or fail to operate the telegraph lines of said railroad or telegraph companies under his control, or which he is engaged in operating, in the manner directed in this act and by the acts to which it is supplementary, or who shall refuse or fail, in such operation and use, to afford and secure to the Government and the public equal facilities, or to secure to each of said connecting telegraph lines equal advantages and facilities in the interchange of business, as herein provided for, without any discrimination whatever for or adverse to the telegraph line of any or either of said connecting companies, or shall refuse to abide by, or perform and carry out within a reasonable time the order or orders of the Interstate Commerce Commission, shall in every such case of refusal or failure be guilty of a misdemeanor, and, on conviction thereof, shall in every such case be fined in a sum not exceeding one thousand dollars, and may be imprisoned not less than six months; and in every such case of refusal or failure the party aggrieved may not only cause the officer or agent guilty thereof to be prosecuted under the provisions of this section, but may also bring an action for the damages sustained thereby against the company whose officer or agent may be guilty thereof, in the circuit or district court of the United States in any State or Territory in which any portion of the road or telegraph line of said company may be situated; and in case of suit process may be served upon any agent of the company found in such State or Territory, and such service shall be held by the court good and sufficient.

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SEC. 7. That nothing in this act shall be construed to affect or impair the right of Congress, at any time hereafter, to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal, as, in the opinion of Congress, justice or the public welfare may require; and nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in the United States, or any authority that the Postmaster-General now has under title sixty-five of the Revised Statutes to fix rates, or, of the

Government, to purchase lines as provided under said title, or to have its messages given precedence in transmission.
 , Approved, August 7, 1888.

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 OFFICE OF THE SECRETARY,
Washington, October 26, 1888.

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Certain duties are devolved by this act upon the Interstate Commerce Commission, and the railroad and telegraph companies referred to in the act are required to file with the Commission copies of all contracts and agreements described in its provisions.

Section 6 of the act contains this provision: That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of such claim, and the manner in which the same are being then used and operated.

The duty imposed by this section has not yet been complied with by your company. The Commission calls your attention to this omission, and urges your compliance with the duty enjoined upon you as speedily as possible.

The first section of the act is as follows: That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain and operate, for railroad, governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

You will also report to the Commission to what extent, and in what manner, the provisions of this section are complied with by your company.

Pursuant to the third section of said act you will also report to this Commission whether you maintain and operate a telegraph line as provided in the acts of Congress, for the use of the Government, or the public, for commercial and other purposes, without discrimination, and whether you have made, and continue, such arrangements for the interchange of business with any connecting telegraph company.

It is important that the matters herein brought to your attention should be communicated to the Commission with all reasonable promptitude.

By order of the Interstate Commerce Commission:

Very respectfully,

EDW. A. MOSELEY,
Secretary.

LIST OF CARRIERS SUBJECT TO SAID ACT.

The following railroad and telegraph companies have been granted by the Government subsidies or rights of way to assist in building telegraphs:

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 Hannibal and Saint Joseph R. R.,
 Missouri Pacific R. R.,
 Northern Pacific R. R.,
 Oregon and California R. R.,

Saint Joseph and Western R. R. (since merged in the Saint Joseph and Grand Island R. R.),
 Sioux City and Pacific R. R.,
 Southern Pacific Co.,
 Texas and Pacific Ry.,
 Union Pacific Ry.,
 United States Telegraph Co.

as above with the exception that the Western has been substituted for the Joint Texas. This, they inform me, will also be made to apply to all points in Arkansas as soon as a meeting can be arranged between the Arkansas lines, which it is expected will be done at an early day. The Kansas City, Fort Scott and Memphis also used the Missouri State and the Mississippi State classifications between points in those States.

The Kansas City, Saint Joseph and Council Bluffs Railroad used the Western, Middle and Western States and Southern Railway and Steamship Association and the Joint Texas classification.

The Hannibal and Saint Joseph used the Western, Middle and Western States and Southern Railway and Steamship and Pacific Coast west-bound.

Uniformity in freight classification.—Call for representative meeting.

CHICAGO, November 15, 1888.

The conference consisting of representatives from each of the leading traffic associations of the country, which it was agreed should be held for the purpose of determining what progress can be made toward unifying the several freight classifications now in use, will assemble in the city of Chicago, in the rooms of the Western Freight Association, in the Rookery building, 217 La Salle street, at 10.30 a. m., Tuesday, December 4, ensuing. The delegates who have thus far been appointed are—

- By the Transcontinental Association: J. C. Stubbs, general traffic manager Southern Pacific Railway; J. F. Goddard, third vice-president Atchison, Topeka and Santa Fé Railway; J. M. Hannaford, traffic manager Northern Pacific Railway.
- By the International Association: J. G. Schriever, traffic manager Atlantic systems, Southern Pacific Railway, G. W. Cale, general freight agent Saint Louis and San Francisco Railway, S. B. Hynes, general freight agent Atchison, Topeka and Santa Fé Railway.
- By the Western Freight Association: Paul Morton, general freight agent Chicago, Burlington and Quincy Railroad, A. C. Bird, general freight agent Chicago, Milwaukee and Saint Paul Railway, M. Knight, general freight agent Wabash Western Railway.
- By the Southern Railway and Steamship Association: A. Pope, general freight agent Norfolk and Western Railway, W. H. Stanford, vice-president Old Dominion Steamship Company, G. A. Whitehead, general freight agent Central Railroad, Georgia.
- By the Central Traffic Association: J. T. R. McKay, general freight agent Lake Shore and Michigan Southern Railway, C. E. Gill, general freight agent Grand Rapids and Indiana Railway, G. G. Cochrane, western freight traffic manager New York, Lake Erie and Western Railway.
- By the Trunk Line Association: F. H. Kingsbury, through freight manager Pennsylvania Railroad, W. S. Sloan, general freight agent Delaware, Lackawanna and Western Railway, R. I. Crawford, general eastern agent New York Central and Hudson River Railroad.

In addition, three representatives are to be appointed from the roads in New England, also three from the Mississippi Valley, *i. e.*, the territory north of the Southern Railway and Steamship Association, and south of the Ohio and east of the Mississippi River. From the latter territory the Cincinnati, New Orleans and Texas, Louisville and Nashville, and Illinois Central have been requested to send representatives. The road first named has appointed Mr. R. X. Ryan, its general freight agent. Mr. Albert Fink will attend to the appointment of the three from New England.

It has further been requested that Mr. R. G. Stevenson, of the Trunk Line Commission, and Mr. Paul P. Rainer, of the Central Traffic Association, who acted as secretaries of the special classification committee during the past year, should attend and again serve in a like capacity, and they are accordingly so notified.

Delay has been experienced in issuing the call, with the view of ascertaining when the representatives from the Transcontinental Association could attend, as they travel the longest distance. The first week in December was therefore fixed upon; and as Chicago had, at an informal meeting with the Eastern lines, been agreed upon as the place, the conference will, as first hereinbefore recited, be held in this city, on Tuesday, December 4, ensuing, commencing at 10.30 a. m.

J. W. MIDGLEY,
Chairman.

APPENDIX F.

THE GOVERNMENT-AIDED RAILROAD AND TELEGRAPH LINES.

(1)

ACT OF AUGUST 7, 1888.

AN ACT supplementary to the act of July first, eighteen hundred and sixty-two, entitled "An act to aid in the construction of a railroad and telegraph line from the Missouri River to the Pacific Ocean, and to secure to the Government the use of the same for postal, military, and other purposes," and also of the act of July second, eighteen hundred and sixty-four, and other acts amendatory of said first-named act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That all railroad and telegraph companies to which the United States has granted any subsidy in lands or bonds or loan of credit for the construction of either railroad or telegraph lines, which, by the acts incorporating them, or by any act amendatory or supplementary thereto, are required to construct, maintain, or operate telegraph lines, and all companies engaged in operating said railroad or telegraph lines shall forthwith and henceforward, by and through their own respective corporate officers and employees, maintain, and operate, for railroad, Governmental, commercial, and all other purposes, telegraph lines, and exercise by themselves alone all the telegraph franchises conferred upon them and obligations assumed by them under the acts making the grants as aforesaid.

SEC. 2. That whenever any telegraph company which shall have accepted the provisions of title sixty-five of the Revised Statutes shall extend its line to any station or office of a telegraph line belonging to any one of said railroad or telegraph companies, referred to in the first section of this act, said telegraph company so extending its line shall have the right and said railroad or telegraph company shall allow the line of said telegraph company so extending its line to connect with the telegraph line of said railroad or telegraph company to which it is extended at the place where their lines may meet, for the prompt and convenient interchange of telegraph business between said companies; and such railroad and telegraph companies, referred to in the first section of this act, shall so operate their respective telegraph lines as to afford equal facilities to all, without discrimination in favor of or against any person, company, or corporation whatever, and shall receive, deliver, and exchange business with connecting telegraph lines on equal terms, and affording equal facilities, and without discrimination for or against any one of such connecting lines; and such exchange of business shall be on terms just and equitable.

SEC. 3. That if any such railroad or telegraph company referred to in the first section of this act, or company operating such railroad or telegraph line shall refuse or fail, in whole or in part, to maintain, and operate a telegraph line as provided in this act and acts to which this is supplementary, for the use of the Government or the public, for commercial and other purposes, without discrimination, or shall refuse or fail to make or continue such arrangements for the interchange of business with any connecting telegraph company, then any person, company, corporation, or connecting telegraph company may apply for relief to the Interstate Commerce Commission, whose duty it shall thereupon be, under such rules and regulations as said Commission may prescribe, to ascertain the facts, and determine and order what arrangement is proper to be made in the particular case, and the railroad or telegraph company concerned shall abide by and perform such order; and it shall be the duty of the Interstate Commerce Commission, when such determination and order are made, to notify the parties concerned, and, if necessary, enforce the same by writ of mandamus in the courts of the United States, in the name of the United States, at the relation of either of said Interstate Commerce Commissioners: *Provided*, That the said Commissioners may institute any inquiry, upon their own motion, in the same manner and to the same effect as though complaint had been made.

SEC. 4. That in order to secure and preserve to the United States the full value and benefit of its liens upon all the telegraph lines required to be constructed by and

lawfully belonging to said railroad and telegraph companies referred to in the first section of this act, and to have the same possessed, used, and operated in conformity with the provisions of this act and of the several acts to which this act is supplementary, it is hereby made the duty of the Attorney-General of the United States, by proper proceedings, to prevent any unlawful interference with the rights and equities of the United States under this act, and under the acts hereinbefore mentioned, and under all acts of Congress relating to such railroads and telegraph lines, and to have legally ascertained and finally adjudicated all alleged rights of all persons and corporations whatever claiming in any manner any control or interest of any kind in any telegraph lines or property, or exclusive rights of way upon the lands of said railroad companies, or any of them, and to have all contracts and provisions of contracts set aside and annulled which have been unlawfully and beyond their powers entered into by said railroad or telegraph companies, or any of them, with any other person, company, or corporation.

SEC. 5. That any officer or agent of said railroad or telegraph companies, or of any company operating the railroads and telegraph lines of said companies, who shall refuse or fail to operate the telegraph lines of said railroad or telegraph companies under his control, or which he is engaged in operating, in the manner directed in this act and by the acts to which it is supplementary, or who shall refuse or fail, in such operation and use, to afford and secure to the Government and the public equal facilities, or to secure to each of said connecting telegraph lines equal advantages and facilities in the interchange of business, as herein provided for, without any discrimination whatever for or adverse to the telegraph line of any or either of said connecting companies, or shall refuse to abide by, or perform and carry out within a reasonable time the order or orders of the Interstate Commerce Commission, shall in every such case of refusal or failure be guilty of a misdemeanor, and, on conviction thereof, shall in every such case be fined in a sum not exceeding one thousand dollars, and may be imprisoned not less than six months; and in every such case of refusal or failure the party aggrieved may not only cause the officer or agent guilty thereof to be prosecuted under the provisions of this section, but may also bring an action for the damages sustained thereby against the company whose officer or agent may be guilty thereof, in the circuit or district court of the United States in any State or Territory in which any portion of the road or telegraph line of said company may be situated; and in case of suit process may be served upon any agent of the company found in such State or Territory, and such service shall be held by the court good and sufficient.

SEC. 6. That it shall be the duty of each and every one of the aforesaid railroad and telegraph companies, within sixty days from and after the passage of this act, to file with the Interstate Commerce Commission copies of all contracts and agreements of every description existing between it and every other person or corporation whatsoever in reference to the ownership, possession, maintenance, control, use, or operation of any telegraph lines, or property over or upon its rights of way, and also a report describing with sufficient certainty the telegraph lines and property belonging to it, and the manner in which the same are being then used and operated by it, and the telegraph lines and property upon its right of way in which any other person or corporation claims to have a title or interest, and setting forth the grounds of said claim, and the manner in which the same are being then used and operated; and it shall be the duty of each and every one of said railroad and telegraph companies annually hereafter to report to the Interstate Commerce Commission, with reasonable fullness and certainty, the nature, extent, value, and condition of the telegraph lines and property then belonging to it, the gross earnings, and all expenses of maintenance, use, and operation thereof, and its relation and business with all connecting telegraph companies during the preceding year, at such time and in such manner as may be required by a system of reports which said Commission shall prescribe: and if any of said railroad or telegraph companies shall refuse or fail to make such reports or any report as may be called for by said Commission, or refuse to submit its books and records for inspection, such neglect or refusal shall operate as a forfeiture, in each case of such neglect or refusal, of a sum not less than one thousand dollars nor more than five thousand dollars, to be recovered by the Attorney-General of the United States, in the name and for the use and benefit of the United States; and it shall be the duty of the Interstate Commerce Commission to inform the Attorney-General of all such cases of neglect or refusal, whose duty it shall be to proceed at once to judicially enforce the forfeitures hereinbefore provided.

SEC. 7. That nothing in this act shall be construed to affect or impair the right of Congress, at any time hereafter, to alter, amend, or repeal the said acts hereinbefore mentioned; and this act shall be subject to alteration, amendment, or repeal, as, in the opinion of Congress, justice or the public welfare may require; and nothing herein contained shall be held to deny, exclude, or impair any right or remedy in the premises now existing in the United States, or any authority that the Postmaster-General now has under title sixty-five of the Revised Statutes to fix rates, or, of the

Government, to purchase lines as provided under said title, or to have its messages given precedence in transmission.

, Approved, August 7, 1888.

INTERSTATE COMMERCE COMMISSION,
OFFICE OF THE SECRETARY,
Washington, October 26, 1888.

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The duty imposed by this section has not yet been complied with by your company. The Commission calls your attention to this omission, and urges your compliance with the duty enjoined upon you as speedily as possible.

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You will also report to the Commission to what extent, and in what manner, the provisions of this section are complied with by your company.

Pursuant to the third section of said act you will also report to this Commission whether you maintain and operate a telegraph line as provided in the acts of Congress, for the use of the Government, or the public, for commercial and other purposes, without discrimination, and whether you have made, and continue, such arrangements for the interchange of business with any connecting telegraph company.

It is important that the matters herein brought to your attention should be communicated to the Commission with all reasonable promptitude.

By order of the Interstate Commerce Commission:

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Southern Pacific Co.,
Texas and Pacific Ry.,
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United States Telegraph Co.

REFERENCES TO ACTS IN THE UNITED STATES STATUTES AT LARGE IN RELATION TO RAILROADS AND TELEGRAPHS AIDED BY GOVERNMENT SUBSIDIES OR GRANTS OF RIGHTS OF WAY.

Volume 12, United States Statutes at Large.

Act of June 16, 1860 (page 41): An act to facilitate communication between the Atlantic and Pacific States by electric telegraph. Right of way given to telegraph companies. Transmission of messages shall be impartial.

Act of January 31, 1862 (page 334): An act to authorize the President of the United States in certain cases to take possession of railroad and telegraph companies, and for other purposes.

Original act of July 1, 1862 (page 489) in regard to Pacific Railroads:

SEC. 1. The telegraph to extend from the 100th meridian between the south margin of the valley of the Republican River and the north margin of the Platte River in Nebraska, to the western boundary of Nevada.

SEC. 2. Right of way through public lands is granted for the construction of railroad and telegraph; and the company has the right to use such materials adjacent to the line of railroad as is necessary for the construction of the road and telegraph line; right of way is granted for 200 feet on each side of railroad, including all lands for stations, shops, etc.

SEC. 3. There is granted to the company for the construction of the railroad and telegraph line every alternate section of public land designated by odd numbers to the amount of five alternate sections per mile on each side of said railroad within the limits of 10 miles on each side of said railroad, not sold or otherwise disposed of by the United States and to which no pre-emption claim is attached at the time line of road is definitely fixed, provided they are not mineral lands.

SEC. 6. Grants aforesaid are made on condition that the railroad and telegraph are kept in repair and use, and shall at all times transmit dispatches over said telegraph line, and the Government shall have preference in their use.

SEC. 7. Railroad and telegraph to be completed before the 1st of July, 1874.

SEC. 8. The line of telegraph to commence at a point on the one hundredth meridian within the boundaries above named to be fixed by the president; then to run westerly upon the most direct, central, and practicable route through the Territories of the United States to the western boundary of Nevada, there to connect with the Central Pacific Railroad Company of California.

SEC. 9. The Leavenworth, Pawnee and Western Railroad Company of Kansas are authorized to build road and telegraph line from Missouri River at mouth of Kansas River west to connect with the Pacific Railroad of Missouri on the one hundredth meridian. The Central Pacific Railroad Company of California are authorized to construct a railroad and telegraph line from San Francisco to the eastern boundary of California, upon the same terms as the Pacific Railroad Company of Missouri, to connect with the same on the eastern boundary of California.

SEC. 10. The Hannibal and Saint Joseph and the Pacific Railroad of Missouri may unite with the Kansas Company upon the same conditions as abovespecified.

SEC. 13. The Hannibal and Saint Joseph Railroad Company is authorized to construct an additional line from Saint Joseph via Atchison, to connect with the roads through Kansas upon filing its assent to the provisions of this act, upon same terms as are provided for the construction of the railroad and telegraph line first mentioned.

SEC. 14. That the said Union Pacific Railroad Company is authorized and required to construct a single line of railroad and telegraph from a point on the western boundary of Iowa to connect with the lines of said company at some point on the one hundredth meridian. Power given Pacific Railroad Company to build railroad and telegraph from Sioux City to a connection with the Union Pacific.

SEC. 17. If the road or telegraph is not completed within a reasonable time, or not kept in repair and use, Congress shall pass an act to insure its speedy completion or put it in repair and use and the expenses of the same shall be paid out of income of railroad.

SEC. 19. That the several railroad companies named are authorized to enter into an arrangement with the Pacific Telegraph Company, the Overland Telegraph Company, and the California State Telegraph Company, so that the present line of telegraph between the Missouri River and San Francisco may be moved upon or along the line of said railroad and branches as fast as said railroad and branches are built; and if said arrangement be entered into, and the transfer of said telegraph line be made in accordance therewith to the line of said railroad and branches, such transfer shall, for all purposes of this act, be held and considered a fulfillment on the part of said railroad companies of the provisions of this act in regard to the construction of said line of telegraph. And, in case of disagreement, said telegraph companies are authorized to remove their line of telegraph along and upon the line of railroad herein contemplated, without prejudice to the rights of said railroad companies named herein.

Act of March 3, 1863 (page 772): That there be granted to the State of Kansas for the purpose of aiding in the construction, first, of a railroad and telegraph from the city of Leavenworth via Lawrence and via Ohio City Crossing on the Osage River to the southern line of the State in the direction of Galveston Bay, in Texas, and with a branch from Lawrence by the valley of the Wakarusa River to a point on the Atchison, Topeka and Santa Fé Railroad, where said railroad intersects the Neosho River, every alternate section of public land for ten sections in width on each side of said road and branches.

Volume 13, United States Statutes at Large.

Act of July 1, 1864 (page 340): Grant was given to Perry McD. Collins for right of way in the construction of a telegraph line to British America.

Act of July 2, 1864 (page 362), amending act of July 1, 1862:

SEC. 15. The several Pacific roads and telegraph lines are to be used as one continuous line. Each of the several roads must have equal facilities and advantages. The proprietors of any line of telegraph authorized by this act must transmit messages for all persons. Upon failure, subject to fine of \$100 for each offense and to other damages the party may suffer.

SEC. 16. The several companies may consolidate and construct the road and telegraph together.

Act of July 2, 1864 (page 366), incorporating the Northern Pacific Railroad Company:

SEC. 1. Telegraph line to extend from Lake Superior to Puget Sound.

SEC. 2. The company has right of way through the public lands and it can take such material adjacent to the road as is necessary for its construction. Every alternate section of land granted to aid in construction.

SEC. 5. There shall be constructed a telegraph line to be operated along the entire route. The Government must not be charged higher rates than individuals.

Act of July 2, 1864 (page 373): The United States Telegraph Company is authorized to construct a telegraph line from the Missouri River to San Francisco. The company is given right of way and land for establishment of stations, not exceeding at any one station one quarter-section of land, such stations not to exceed one in every fifteen miles; also given privilege to erect telegraph from Fort Hall to Portland, with same privileges as to right of way. This company must accept dispatches from other lines established by authority or aid of Congress to connect with lines authorized by the English or Russian Governments, and such dispatches shall be transmitted in the order of their reception.

SEC. 4. The several railroad companies authorized by the act of July 1, 1862, are authorized to enter into arrangements with the United States Telegraph Company.

Volume 14, United States Statutes at Large.

Act of July 3, 1866 (page 80): The Union Pacific Railroad Company (Eastern Division) shall connect their line of railroad and telegraph with the Union Pacific at a point not more than fifty miles westwardly from the meridian of Denver. The Union Pacific and the Central Pacific are authorized to continue building their lines so as to meet.

Act of July 13, 1866 (page 94): Right of way granted to the Placerville and Sacramento Railroad Company (now Sacramento and Placerville) for the construction of a railroad and telegraph; material given for construction from side of road; 100 feet on each side of road given; necessary ground for stations, etc.; alternate sections of land granted; the telegraph line to be established of the most substantial kind and of the most approved description and to be operated on entire route; both railroad and telegraph to be finished by July 4, 1869. Railroad to run from Folsom to Placerville in the State of California.

Act of July 24, 1866 (page 221): Telegraph companies may construct lines of telegraph over public domain. Telegrams of Government must have preference.

SEC. 3. Rights and privileges hereby granted can not be transferred to any other corporation, association, or person. Government can purchase such lines.

Act of July 26, 1866 (page 286): Public lands granted to the State of Kansas to aid the Union Pacific Railroad, Southern Branch, to construct a railroad and telegraph from Fort Riley, Kansas, to the southern line of the State of Kansas. If not completed within ten years unpatented lands to revert to Government.

Act of July 27, 1866 (page 292): The telegraph line of the Atlantic and Pacific Telegraph Company to commence at a point near Springfield, Missouri, and to extend to the Pacific.

SEC. 2. Right of way granted and materials necessary to its construction given.

SEC. 3. Every alternate section of land granted, designated by odd numbers.

SEC. 5. A telegraph line to be operated along the entire line. Must charge Government same rate as individuals.

Act of May 7, 1865 (page 355): Resolution extending time of completion of the Union Pacific Railroad, Eastern Division.

Volume 15, United States Statutes at Large.

Act of June 25, 1868 (page 79): SEC. 2. The Northern Pacific, the Atlantic and Pacific, and the Southern Pacific shall file annual reports with the Secretary of the Interior, the same as is required of the Union Pacific.

Act of June 25, 1868 (page 80): Extension of time granted to the Central Pacific Railway for its completion.

Act of July 25, 1868 (page 171): Money appropriated for facilitating communication between Atlantic and Pacific States by telegraph.

Act of March 3, 1869 (page 324): The Union Pacific may contract with the Denver Pacific for the construction of its road and telegraph between Denver City and Cheyenne.

SEC. 2. The Union Pacific Railway shall extend its railroad and telegraph to a connection at Denver, so as to form, with that part of its line operated by the Denver Pacific, a continuous line of railroad and telegraph from Kansas City by way of Denver to Cheyenne. The same rights given to Denver Pacific as Union Pacific had. The Union Pacific not allowed to fix the rates of tariff for the Denver Pacific.

Volume 16, United States Statutes at Large.

Act of April 10, 1869 (page 56): Joint resolution for the protection of the interests of the United States in the Union and Central Pacific Railroads. Common terminus of the Union and Central Pacific Railroads to be at or near Ogden.

Act of April 10, 1869 (page 57): Right given to Northern Pacific Railroad to extend its branch line from Portland to Puget Sound and connect same to its main line west of the Cascade Mountains. This extension to be made upon same conditions as are in incorporating act.

Act of May 4, 1870 (page 94): Land grant to Oregon Central Railroad and Telegraph Company. Road to extend from Portland to Astoria and from a suitable point of junction near Forest Grove to the Yamhill River near McMinnville in the State of Oregon. Right of way granted, one hundred feet on each side of track; material for construction allowed to be taken from side of road. Alternate sections of land granted. Net proceeds from sales of granted lands to be put aside as sinking fund for the purchase of bonds. Twenty miles to be completed within two years, and whole road in six years.

Act of May 31, 1870 (page 378). Resolution authorizing the Northern Pacific to issue bonds and secure the same by mortgage.

Act of June 28, 1870 (page 382). The Southern Pacific Railroad may construct its railroad and telegraph line on the route indicated by map filed in the Department of the Interior January 3, 1867. Upon the construction of each section it shall be the duty of the Secretary of the Interior to cause patents to be issued to the company.

Act of December 15, 1870 (page 395). Lands granted to the Utah Central Railroad Company for construction of railroad and telegraph from Ogden to Salt Lake City. Material for its construction allowed to be taken from side of road. Two hundred feet on each side of road granted. Government to have same rates for telegraphic service and transportation as are charged individuals. Connections can be made by certain other railroads.

Act of March 3, 1871 (page 573). The Texas Pacific Railroad and Telegraph Company incorporated. The railroad and telegraph to extend from Marshall, Tex., to El Paso, thence through New Mexico and Arizona to the Rio Colorado at or near the southern boundary of the State of California, thence to San Diego, Cal. Right of way granted, with two hundred feet on each side of the road. Alternate sections of land granted.

Volume 17, United States Statutes at Large.

Act of April 12, 1872 (page 52). Right of way granted to the Portland, Dallas and Salt Lake Railroad Company and Telegraph, with lands for depots, etc.

Act of June 4, 1872 (page 219). Supplementary to the act of 1866 that the National Ocean Telegraph Company has the right to pre-empt and use public lands at various stations in Florida and other places.

Act of June 4, 1872 (page 224). Right of way granted through public lands in Florida for railroad and telegraph purposes.

Act of June 8, 1872 (page 339). Right of way granted the Denver and Rio Grande Railway Company for construction of railroad and telegraph.

Act of June 8, 1872 (page 343). That the New Mexico and Gulf Railway Company is granted right of way from the northwestern boundary of New Mexico to San Juan with the Rio Manco through Santa Fé County down the Pecos River Valley in the State of Texas. Right of way given, with necessary lands for stations, etc., and other needful purposes in operating the said line of railroad and telegraph, not exceeding 20 acres in one place.

Volume 18, United States Statutes at Large.

Act of June 20, 1874 (page 111). An act imposing penalties upon the Pacific Railroads on their failure to operate their roads and telegraph lines as one continuous line or for making discriminations between the different roads. The railway of the Denver Pacific Railway and Telegraph Company shall be deemed and taken to be a part and extension of the road of the Kansas Pacific Railroad to the point of junction thereof with the road of the Union Pacific Railroad Company at Cheyenne, as provided in the act of March 3, 1869.

Act of June 23, 1874 (page 274). Right of way granted through public lands to Arkansas Valley Railroad Company and Telegraph Line. No land grant; only right of way.

Act of February 5, 1875 (page 306). The Oregon Pacific Railway is granted the right of way and depot grounds for its road and telegraph line. No land grant; only right of way.

Volume 19, United States Statutes at Large.

Act of July 24, 1876 (page 101). An act forfeiting all lands granted to the State of Kansas to aid in the construction of a railroad commencing at Leavenworth, Kans., and extending to a point on the Atchison, Topeka and Santa Fé Railroad, except those which have been patented or earned by the road by completion of the road in compliance with the act.

Volume 20, United States Statutes at Large.

Act of May 7, 1878 (page 56). An act amending the original act of July 1, 1862, so as to secure the Government from loss on failure of the Pacific roads to comply with the provisions of their charters.

TELEGRAPH COMPANIES WHICH HAVE ACCEPTED THE PROVISIONS OF THE ACT OF JULY 24, 1866, AND OF TITLE 65 OF THE REVISED STATUTES.

The following is a list of telegraph companies that have filed acceptance of the provisions of the act of July 24, 1866, up to the 29th day of June, 1888:

- *1. The American Submarine Telegraph Company, of New York, N. Y. Received and filed July 24, 1866.
- *2. The National Telegraph Company, of New York, N. Y. Received and filed July 30, 1866.
- *3. The Globe Insulated Lines Telegraph Company, of New York, N. Y. Received and filed July 31, 1866.
4. International Telegraph Company, of Portland, Me. Received and filed October 6, 1866.
5. The Atlantic and Pacific Telegraph Company, of New York, N. Y. Received and filed March 19, 1867.
- *6. The Franco-American Land and Ocean Telegraph Company, of New York, N. Y. Received and filed April 6, 1867.
- *7. The Globe Telegraph Company, of New York. Received and filed May 30, 1867.
- *8. Mississippi Valley National Telegraph Company, of Saint Louis, Mo. Received and filed June 4, 1867.
9. Western Union Telegraph Company, of New York. Received and filed June 8, 1867.
10. Northwestern Telegraph Company, of Kenosha, Wis. Received and filed July 30, 1867.
- *11. Great Western Telegraph Company, of New York. Received and filed January 17, 1868.
- *12. The Franklin Telegraph Company, of Boston, Mass. Received and filed April 17, 1868.
- *13. The Insulated Lines Telegraph Company, of Boston, Mass. Received and filed April 13, 1868.

* These companies are supposed to be no longer in existence.

- *14. Pacific and Atlantic Telegraph Company, of Pittsburgh, Pa. Received and filed July 22, 1868.
- *15. The Atlantic and Pacific States Telegraph Company, of Sacramento, Cal. Received and filed September 7, 1868.
- *16. The Eastern Telegraph Company, of Philadelphia, Pa. Received and filed October 5, 1868.
- *17. The Delaware River Telegraph Company, of Philadelphia, Pa. Received and filed October 23, 1868.
- *18. Cape May and Shore Telegraph Company, of New York City. Received and filed April 2, 1869.
- *19. Peninsula Telegraph Company, of New York City. Received and filed May 9, 1869.
- 20. Ocean Telegraph Company, of Boston, Mass. Received and filed July 15, 1869.
- *21. The American Cable Company, of New York. Received and filed April 15, 1870.
- *22. Southern and Atlantic Telegraph Company, of Philadelphia, Pa. Received and filed July 22, 1870.
- 23. International Ocean Telegraph Company, of New York City. Received and filed January 20, 1871.
- *24. Missouri River Telegraph Company, of Sioux City, Iowa. Received and filed May 3, 1871.
- 25. The Marine and Inland Telegraph Company, of New Jersey, 715 Locust street, Philadelphia. Received and filed November 27, 1872.
- 26. Atlantic and Pacific Telegraph Company, of Missouri; executive office, 145 Broadway, New York City. Received and filed May 8, 1877.
- 27. New Jersey and New England Telegraph Company. Received and filed November 21, 1878. Address A. L. Worthington, No. 10 Green street, Trenton, N. J.
- 28. The American Rapid Telegraph Company, 41 Wall street, New York. Received and filed April 12, 1879. Special rates received and filed April 1, 1881.
- *29. Central Union Telegraph Company, 145 Broadway, New York. Received and filed May 9, 1879.
- *30. New York Land and Ocean Telegraph Company. Received and filed May 10, 1879.
- 31. Deseret Telegraph Company, Salt Lake City, Utah. Received and filed May 19, 1879.
- 32. American Union Telegraph Company, of New York, 145 Broadway, New York. Received and filed July 1, 1879.
- 33. The American Union Telegraph Company of Missouri, Charles S. Greeley, president, Saint Louis, Mo. Received and filed July 9, 1879.
- 34. Wabash Railway Company, Cyrus W. Field, president, New York. Received and filed July 11, 1879.
- *35. The American Union Telegraph Company of New Jersey, D. H. Bates, president, Jersey City, N. J. Received and filed July 17, 1879.
- *36. The Baltimore and Ohio Railroad Company of Maryland, John W. Garrett, president, Baltimore, Md. Received and filed July 18, 1879.
- *37. The American Union Telegraph Company of Baltimore City, Md. Received and filed July 31, 1879.
- *38. The Deer Lodge Telegraph Company, of Butte City, Mont. Received and filed August 30, 1879.
- 39. The American Union Telegraph Company of Pennsylvania, D. H. Bates, president, Philadelphia. Received and filed September 4, 1879.
- 40. The American Union Telegraph Company of Indiana, La Fayette, Ind. Received and filed September 12, 1879.
- *41. The Cheyenne and Black Hills Telegraph Company, W. H. Hibbard, superintendent, Cheyenne, Wyo. Received and filed November 7, 1879.
- 42. The American Union Telegraph Company of Ohio, Frank B. Swayne, president, Toledo, Ohio. Received and filed November 8, 1879.
- 43. The American Union Telegraph Company of Louisiana, Ed. Leloup, secretary, New Orleans, La. Received and filed March 1, 1880.
- *44. Baltimore and Ohio Telegraph Company of Ohio, George Hoadley, president, Cincinnati, Ohio. Received and filed September 3, 1880.
- 45. The Wabash, Saint Louis and Pacific Railway Company of Saint Louis, Mo., Solon Humphreys, president, No. 80 Broadway, New York. Received and filed September 13, 1880.
- *46. Baltimore and Ohio Telegraph Company of Illinois, C. H. Hudson, president, No. 81 South Clark street, Chicago, Ill. Received and filed September 23, 1880.
- 47. Frontier Telegraph Company of Texas, G. O. Appleby, president, Lampasas, Tex. Received and filed October 25, 1880.
- *48. Bankers and Merchants' Telegraph Company of New Jersey, J. Heron Coosman, president, No. 58 Broadway, New York, N. Y. Received and filed April 21, 1881.

* These companies are supposed to be no longer in existence.

49. Bankers and Merchants' Telegraph Company of New York, William W. Maris, president, No. 58 Broadway, New York, N. Y. Received and filed June 8, 1881.
50. Mutual Union Telegraph Company of Illinois, Carroll Sprigg, secretary, Chicago, Ill. Received and filed October 24, 1881.
51. Mutual Union Telegraph Company of Missouri, Carroll Sprigg, secretary, Chicago, Ill. Received and filed November 14, 1881.
- *52. New Jersey Mutual Telegraph Company, John H. Walker, secretary, Newark, N. J. Received and filed November 17, 1881.
53. Bankers and Merchants' Telegraph Company, William W. Maris, president, 58 Broadway, New York. Received and filed December 8, 1881.
- *54. The Baltimore and Ohio Telegraph Company, Welty McCullogh, secretary, Pittsburgh, Pa. Received and filed March 6, 1882.
55. East Tennessee Telephone Company, D. J. Carson, secretary, New York. Received and filed May 31, 1882.
56. Southern Telegraph Company, James F. Cox, president, 48 Exchange Place, New York. Received and filed August 4, 1882.
57. Postal Telegraph Company, A. W. Beard, president, 2 Wall street, New York. Received and filed August 31, 1882.
58. Bankers and Merchants' Telegraph Company of Baltimore City, J. G. Case, secretary, 58 Broadway, New York. Received and filed December 14, 1882.
59. Mutual Union Telegraph Company of New York, John G. Moore, president. Received and filed March 5, 1883.
- *60. The Baltimore and Ohio Telegraph Company in Pennsylvania, J. B. Washington, secretary, Pittsburgh, Pa. Received and filed March 17, 1883.
- *61. The Baltimore and Ohio Telegraph Company of Indiana, George P. Frick, president; Daniel T. Downey, secretary. Received and filed July 17, 1883.
- *62. The Baltimore and Ohio Telegraph Company of the State of New York, George P. Frick, president; Edward R. Golliday, secretary. Received and filed July 17, 1883.
- *63. The Northern and Southern Telegraph Company, corner State and Bridge streets, New York City, John F. Davis, president; William H. Harfield, secretary. Received and filed September 28, 1883.
- *64. Baltimore and Ohio Telegraph Company of New Jersey, George P. Frick, president; Edward R. Golliday, secretary. Received and filed November 7, 1883.
65. National Telegraph Company of New York, Calvin S. Brice, president; F. E. Worcester, secretary. Received and filed January 31, 1884.
66. Philadelphia and Seaboard Telegraph Company of New Jersey, Milton Cowperthwaite, secretary. Received and filed February 23, 1884.
67. Providence and Pascoag Telegraph Company of Rhode Island, D. H. Bates, president; F. Jessen, secretary. Received and filed July 10, 1884.
- *68. Baltimore and Ohio Telegraph Company of Missouri, George P. Frick, president. Received and filed July 18, 1884.
- *69. Baltimore and Ohio Telegraph Company of Louisiana, D. H. Bates, president. Received and filed July 25, 1884.
70. The New England Telegraph Company, F. A. McKeone, president. Received and filed July 26, 1884.
- *71. The Baltimore and Ohio Telegraph Company of Texas, D. H. Bates, president. Received and filed August 13, 1884.
72. The New England Telegraph Company of Massachusetts, Dan. S. Robeson, New York, vice-president. Received and filed September 5, 1884.
73. The Chesapeake and Ohio Telegraph Lines, C. W. Smith, general manager, Richmond, Va. Received and filed September 29, 1884.
- *74. The Baltimore and Ohio Telegraph Company of Massachusetts, D. H. Bates, president. Received and filed December 15, 1884.
75. The Postal Telegraph and Cable Company, Henry Rosener, second vice-president. Received and filed January 29, 1885.
76. The Pacific Telegraph Company, George H. Meyers, secretary. Received and filed July 27, 1885.
- *77. The Baltimore and Ohio Telegraph Company of Baltimore County, Maryland, D. H. Bates, president. Received and filed February 20, 1886.
78. Postal Telegraph-Cable Company, James H. Withington, president. Received and filed April 6, 1886.
79. The North American Telegraph Company, W. H. Eustis, secretary. Received and filed April 22, 1886.
80. The San Juan Telegraph Company, W. E. Block, secretary, Ouray, Colo. Received and filed June 9, 1886.
81. Pacific Postal Telegraph-Cable Company, Henry Rosener, president, New York, N. Y. Received and filed July 20, 1886.
- *82. The Baltimore and Ohio Telegraph Company of Pennsylvania, R. Duryea, secretary, Baltimore, Md. Received and filed September 11, 1886.

* These companies are supposed to be no longer in existence.

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83. The Manhattan Railway Company, D. W. McWilliams, secretary, New York, N. Y. Received and filed October 6, 1886.
84. The Pacific Mutual Telegraph Company, George M. Meyers, secretary, Rosedale, Kans. Received and filed February 24, 1887.
85. The Empire and Bay State Telegraph Company, Henry Macdona, secretary, New York, N. Y. Received and filed July 12, 1887.
86. The Spokane Falls and Wardner Telephone-Telegraph Lines, W. S. Norman, owner, Spokane Falls, Washington Territory. Received and filed August 17, 1887.
87. The Rocky Mountain Telegraph Company, W. M. Cairns, general manager, Butte, Mont. Received and filed August 18, 1887.
88. The Central Arizona Telegraph Company, L. H. Wilson, president, Prescott, Ariz. Received and filed October 6, 1887.
89. W. S. Norman's United States Military Telegraph Line. Between Fort Cœur d'Alene and Spokane Falls. W. S. Norman, Spokane Falls, Wash. Received and filed October 13, 1887.
90. The Wyoming Inland Telegraph Company, F. B. Proctor, secretary, Buffalo, Wyo. Received and filed October 19, 1887.
91. The Chicago Postal Telegraph Company, Marcus Pollasky, president, Chicago, Ill. Received and filed January 3, 1888.

APPENDIX G.

FORM OF ANNUAL REPORT CALLED FOR BY THE INTERSTATE
COMMERCE COMMISSION OF THE UNITED STATES
FOR THE YEAR ENDING JUNE 30, 1888.

EXEMPLIFIED BY THE

ANNUAL REPORT OF NORTHERN PACIFIC RAILROAD COMPANY TO THE
INTERSTATE COMMERCE COMMISSION OF THE UNITED
STATES FOR THE YEAR ENDING JUNE 30, 1888.

RECEIVED SEPTEMBER 26, 1888.

1.—*History.*

1. Name of common carrier making this report?

Northern Pacific R. R. Co.

2. Date of organization?

(Reorganization) September 29, 1875.

3. Under laws of what Government, State, or Territory organized? If more than one, name all; give reference to each statute and all amendments thereof.

Chartered by act of Congress July 2, 1864.

4. If a consolidated company, name the constituent companies? Give reference to charters of each, and all amendments of same.

5. Date and authority for each consolidation?

6. If a reorganized company, give name of original corporation, and refer to laws under which it was organized?

Northern Pacific R. R. Co., chartered by Congress July 2, 1864.

7. (For companies not reporting operations.) What carrier operates the road of this company?

2.—Organization.

Names of Directors.	Post-office address.	Date of expiration of term.
August Belmont.....	New York.....	September, 1888.
Frederick Billings.....	Woodstock, Vt.....	Do.
John U. Brookman.....	New York.....	Do.
C. T. Barney.....	do.....	Do.
Robert Harris.....	do.....	Do.
Brayton Ives.....	do.....	Do.
T. F. Oakes.....	Saint Paul, Minn.....	Do.
C. B. Wright.....	Philadelphia.....	Do.
Henry Villard.....	New York.....	Do.
Edwin H. Abbott.....	Milwaukee.....	Do.
Charles L. Colby.....	do.....	Do.
Celgate Hoyt.....	New York.....	Do.
John B. Trevor.....	do.....	Do.
<p>Total number of stockholders at date of last election? 5,353.</p> <p>Date of last meeting of stockholders for election of directors? September 15, 1887.</p> <p>Give post-office address of general office? New York, 35 Wall street.</p> <p>Give post-office address of operating office? Saint Paul, Minn.</p>		

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3.—Officers.

Title.	Name.	Location of Office.
Chairman of the Board		
President	Robert Harris	New York.
Vice-president	T. F. Oakes	Saint Paul, Minn.
Vice-president		
Vice-president (third)	J. B. Williams	New York.
Secretary	Samuel Wilkeson	Do.
Treasurer	George S. Baxter	Do.
Assistant Treasurer		
Cashier	C. A. Clark	Saint Paul, Minn.
Chief Engineer	J. W. Kendrick	Do.
General Counsel	George Gray	New York.
Counsel	James McNaught	Saint Paul, Minn.
Comptroller		
Auditor General	J. A. Barker	Do.
Auditor General, Assistant	M. P. Martin	Do.
General Manager	T. F. Oakes	Do.
General Manager, Assistant	S. R. Ainslie	Do.
Do	R. Law	Helena, Mont.
Do	J. M. Buckley	Tacoma, Wash.
Traffic Manager	J. M. Hannaford	Saint Paul, Minn.
General Freight Agent	S. L. Moore	Do.
General Passenger Agent	C. S. Fee	Do.
General Ticket Agent		
Division Superintendent	M. C. Kimberly	Minneapolis, Minn.
Do	N. D. Root	Brainerd, Minn.
Do	F. Greene	Mandan, Dak.
Do	J. M. Graham	Jamestown, Dak.
Do	J. D. Finn	Glendive, Mont.
Do	R. Law	Helena, Mont.
Do	F. P. Weymouth	Sprague, W. T.
Do	C. S. Prowell	Ellensburg, W. T.
Do	C. B. Cole	Tacoma, W. T.
Superintendent of Telegraph	O. C. Greene	Saint Paul, Minn.
Superintendent of Express	H. H. Browning	Do.
General Baggage Agent	W. H. Lowe	Do.
Land Commissioner	C. B. Lamborn	Do.

4.—Property Operated.

Name of every Railroad the operations of which are included in the Revenue Account—page 10.

Name.	Terminals.		Description.	
	From—	To—	(Main line, branch, leased, etc.)	Miles.
Northern Pacific R. R	Ashland, Wis...	Wallula and Portland, Oregon.	Main line.....	2,140.1
St. P., M. and Manitoba R. R. .	Saint Paul, Minn.	Minneapolis	Leased.....	16.2
St. Paul and Duluth R. R.....	Duluth	N. P. Junction	One-half owned.	23.5
St. Paul and Northern Pacific Ry	Minneapolis ...	Brainerd.....	Leased.....	127.2
Little Falls and Dakota R. R. .	Little Falls	Morris.....	Operated under contract.	87.8
N. P., Fergus and Black Hills R. R.	Wadena June ...	Milnor.....	do	117.1
Duluth and Manitoba R. R.	Winnipeg June.	Boundary Line ...	Leased.....	204.3
Fargo and South Western R. R.	Fargo.....	La Moure.....	Operated under contract.	87.4
South Eastern Dakota R. R.....	Fairview.....	Wild Rice	do	8.9
James River Valley R. R.	Jamestown	Oakes.....	Leased.....	64.2
S. Cooperstown and Turtle M't'n R. R.	Sanborn	Cooperstown.....	Operated under contract.	34.5
Jamestown and Northern R. R. .	Jameston	Minnewakan	do	102.5
N. P., La Moure and Mo. River R. R.	La Moure.	Edgeley	do	21.3
Rocky Mt. R. R. of M. T.	Livingston.....	Cinnabar	do	51.7
Cokedale Spur.....	Cokedale Spur..	Cokedale	do	3.6
Helena and Jeff. Co. R. R.	Prickly Pear ..	Wickes	do	20.1
H. Boulder Valley and Butte R. R.	Jefferson	Calvin	do	30.0
Helena and Red M't'n R. R.	Helena	Rimini.....	do	16.7
Helena and Northern R. R.....	Clough June ...	Marysville.....	do	12.5
Spokane Falls and Idaho R. R. .	Hausev June ...	Cœur d'Alene.....	do	13.6
Spokane and Palouse Ry.....	Marshall June..	Belmont	Leased.....	43.7
Missoula and Bitter Root Valley R. R.	Missoula.....	Victor	Operated under contract.	35.6
Drummond and Phillipsburg R. R.	Drummond	Phillipsburg	do	25.8
N. P. and Cascade R. R.	Cascade	Carbonado.....	do	10.4
N. P. and Puget Sound Shore R. R.	Stuck June.....	Puyallup.....	do	7.0
Duluth and Superior Short Line.	Superior	Duluth	2.9 owned — 3.9 leased from C., St. P., M. & O. Ry.	6.8
Total				3,816.5

Name of all coal, bridge, canal or other properties the profit or loss only from which is included in the General Balance Sheet—page 18.

Name.	Character of business.	Title (owned, leased, etc.).	State or Territory.
	None		

5.—Capital Stock.

Description.	Par value of shares.	Total par value authorized.	Total amount issued and outstanding.	Market price of shares.		Dividends declared during year.	
				June 30, 1888.	Average for year.	Rate.	Amount.
Capital stock:						<i>Per cent.</i>	
Common	\$100.00	\$49,000,000.00	\$49,000,000.00	23½	24½	None.
Preferred	100.00	51,000,000.00	37,488,618.17	51½	48½	None.
Total		100,000,000.00	86,488,618.17				
Manner of payment for Capital Stock.	Number of shares.	Total cash realized.	Give particulars and explanations.				
Issued for cash:			<p>All stock is issued in consideration and in pursuance of the plan of reorganization adopted at a meeting of the holders of the first-mortgage bonds of the former organization, recognized and affirmed by the court in the proceedings whereby said mortgage was foreclosed.</p> <p>Copy of plan of reorganization filed herewith.</p>				
Common							
Preferred							
Issued for construction:							
Common							
Preferred							
Issued for reorganization:							
Common	490,000	\$49,000,000.00					
Preferred	510,000	51,000,000.00					
Issued for							
Total	1,000,000	100,000,000.00					

6.—Funded Debt.

Class of Bond or Obligation.	Time.		Amount of authorized issue.	Amount issued and now outstanding.	Cash realized on the amount outstanding.	Interest.		
	Date of issue.	When due.				Rate.	When payable.	Total accrued during year.
First Mortgage Missouri Division bonds.....	1879	1919	\$2,500,000.00	\$2,130,001	\$2,129,776.77	Per cent. 6	May and November	\$125,540.00
First Mortgage P'd O. Division bonds.	1879	1919	4,500,000.00	2,733,000	2,631,625.36	6	March and September ..	163,540.00
General First Mortgage bonds.....	1881	1921	46,878,000.00	46,878,000	44,060,062.80	6	January and July	2,766,600.00
General Second Mortgage bonds.....	1883	1933	20,000,000.00	20,000,000	16,485,989.76	6	April and October	1,200,000.00
General Third Mortgage bonds.....	1887	1937	12,000,000.00	8,593,000	6,548,000.00	6	June and December	256,730.83
Division Certificates extended.....	1888	1907	4,640,821.20	1,274,500	1,274,500.00	6	January and July	177,564.63
Car-trust Obligations, none.								
Receivers' Certificates, none.								
Total			90,518,821.20	81,608,500	73,129,854.69			4,779,614.59

SEC. 5. A telegraph line to be operated along the entire line. ~~Must charge~~ Government same rate as individuals.

Act of May 7, 1865 (page 355): Resolution extending time of completion of the Union Pacific Railroad, Eastern Division.

Volume 15, United States Statutes at Large.

Act of June 25, 1868 (page 79): SEC. 2. The Northern Pacific, the Atlantic and Pacific, and the Southern Pacific shall file annual reports with the Secretary of the Interior, the same as is required of the Union Pacific.

Act of June 25, 1868 (page 80): Extension of time granted to the Central Pacific Railway for its completion.

Act of July 25, 1868 (page 171): Money appropriated for facilitating communication between Atlantic and Pacific States by telegraph.

Act of March 3, 1869 (page 324): The Union Pacific may contract with the Denver Pacific for the construction of its road and telegraph between Denver City and Cheyenne.

SEC. 2. The Union Pacific Railway shall extend its railroad and telegraph to a connection at Denver, so as to form, with that part of its line operated by the Denver Pacific, a continuous line of railroad and telegraph from Kansas City by way of Denver to Cheyenne. The same rights given to Denver Pacific as Union Pacific had. The Union Pacific not allowed to fix the rates of tariff for the Denver Pacific.

Volume 16, United States Statutes at Large.

Act of April 10, 1869 (page 56): Joint resolution for the protection of the interests of the United States in the Union and Central Pacific Railroads. Common terminus of the Union and Central Pacific Railroads to be at or near Ogden.

Act of April 10, 1869 (page 57): Right given to Northern Pacific Railroad to extend its branch line from Portland to Puget Sound and connect same to its main line west of the Cascade Mountains. This extension to be made upon same conditions as are in incorporating act.

Act of May 4, 1870 (page 94): Land grant to Oregon Central Railroad and Telegraph Company. Road to extend from Portland to Astoria and from a suitable point of junction near Forest Grove to the Yamhill River near McMinnville in the State of Oregon. Right of way granted, one hundred feet on each side of track; material for construction allowed to be taken from side of road. Alternate sections of land granted. Net proceeds from sales of granted lands to be put aside as sinking fund for the purchase of bonds. Twenty miles to be completed within two years, and whole road in six years.

Act of May 31, 1870 (page 378). Resolution authorizing the Northern Pacific to issue bonds and secure the same by mortgage.

Act of June 28, 1870 (page 382). The Southern Pacific Railroad may construct its railroad and telegraph line on the route indicated by map filed in the Department of the Interior January 3, 1867. Upon the construction of each section it shall be the duty of the Secretary of the Interior to cause patents to be issued to the company.

Act of December 15, 1870 (page 395). Lands granted to the Utah Central Railroad Company for construction of railroad and telegraph from Ogden to Salt Lake City. Material for its construction allowed to be taken from side of road. Two hundred feet on each side of road granted. Government to have same rates for telegraphic service and transportation as are charged individuals. Connections can be made by certain other railroads.

Act of March 3, 1871 (page 573). The Texas Pacific Railroad and Telegraph Company incorporated. The railroad and telegraph to extend from Marshall, Tex., to El Paso, thence through New Mexico and Arizona to the Rio Colorado at or near the southern boundary of the State of California, thence to San Diego, Cal. Right of way granted, with two hundred feet on each side of the road. Alternate sections of land granted.

Volume 17, United States Statutes at Large.

Act of April 12, 1872 (page 52). Right of way granted to the Portland, Dallas and Salt Lake Railroad Company and Telegraph, with lands for depots, etc.

Act of June 4, 1872 (page 219). Supplementary to the act of 1866 that the National Ocean Telegraph Company has the right to pre-empt and use public lands at various stations in Florida and other places.

Act of June 4, 1872 (page 224). Right of way granted through public lands in Florida for railroad and telegraph purposes.

Act of June 8, 1872 (page 339). Right of way granted the Denver and Rio Grande Railway Company for construction of railroad and telegraph.

Act of June 8, 1872 (page 343). That the New Mexico and Gulf Railway Company is granted right of way from the northwestern boundary of New Mexico to San Juan with the Rio Mancoes through Santa Fé County down the Pecos River Valley in the State of Texas. Right of way given, with necessary lands for stations, etc., and other needful purposes in operating the said line of railroad and telegraph, not exceeding 20 acres in one place.

Volume 18, United States Statutes at Large.

Act of June 20, 1874 (page 111). An act imposing penalties upon the Pacific Railroads on their failure to operate their roads and telegraph lines as one continuous line or for making discriminations between the different roads. The railway of the Denver Pacific Railway and Telegraph Company shall be deemed and taken to be a part and extension of the road of the Kansas Pacific Railroad to the point of junction thereof with the road of the Union Pacific Railroad Company at Cheyenne, as provided in the act of March 3, 1869.

Act of June 23, 1874 (page 274). Right of way granted through public lands to Arkansas Valley Railroad Company and Telegraph Line. No land grant; only right of way.

Act of February 5, 1875 (page 306). The Oregon Pacific Railway is granted the right of way and depot grounds for its road and telegraph line. No land grant; only right of way.

Volume 19, United States Statutes at Large.

Act of July 24, 1876 (page 101). An act forfeiting all lands granted to the State of Kansas to aid in the construction of a railroad commencing at Leavenworth, Kans., and extending to a point on the Atchison, Topeka and Santa Fé Railroad, except those which have been patented or earned by the road by completion of the road in compliance with the act.

Volume 20, United States Statutes at Large.

Act of May 7, 1878 (page 56). An act amending the original act of July 1, 1862, so as to secure the Government from loss on failure of the Pacific roads to comply with the provisions of their charters.

TELEGRAPH COMPANIES WHICH HAVE ACCEPTED THE PROVISIONS OF THE ACT OF JULY 24, 1866, AND OF TITLE 65 OF THE REVISED STATUTES.

The following is a list of telegraph companies that have filed acceptance of the provisions of the act of July 24, 1866, up to the 29th day of June, 1888:

- *1. The American Submarine Telegraph Company, of New York, N. Y. Received and filed July 24, 1866.
- *2. The National Telegraph Company, of New York, N. Y. Received and filed July 30, 1866.
- *3. The Globe Insulated Lines Telegraph Company, of New York, N. Y. Received and filed July 31, 1866.
4. International Telegraph Company, of Portland, Me. Received and filed October 6, 1866.
5. The Atlantic and Pacific Telegraph Company, of New York, N. Y. Received and filed March 19, 1867.
- *6. The Franco-American Land and Ocean Telegraph Company, of New York, N. Y. Received and filed April 6, 1867.
- *7. The Globe Telegraph Company, of New York. Received and filed May 30, 1867.
- *8. Mississippi Valley National Telegraph Company, of Saint Louis, Mo. Received and filed June 4, 1867.
9. Western Union Telegraph Company, of New York. Received and filed June 8, 1867.
10. Northwestern Telegraph Company, of Kenosha, Wis. Received and filed July 30, 1867.
- *11. Great Western Telegraph Company, of New York. Received and filed January 17, 1868.
- *12. The Franklin Telegraph Company, of Boston, Mass. Received and filed April 17, 1868.
- *13. The Insulated Lines Telegraph Company, of Boston, Mass. Received and filed April 13, 1868.

* These companies are supposed to be no longer in existence.

- *14. Pacific and Atlantic Telegraph Company, of Pittsburgh, Pa. Received and filed July 22, 1868.
- *15. The Atlantic and Pacific States Telegraph Company, of Sacramento, Cal. Received and filed September 7, 1868.
- *16. The Eastern Telegraph Company, of Philadelphia, Pa. Received and filed October 5, 1868.
- *17. The Delaware River Telegraph Company, of Philadelphia, Pa. Received and filed October 23, 1868.
- *18. Cape May and Shore Telegraph Company, of New York City. Received and filed April 2, 1869.
- *19. Peninsula Telegraph Company, of New York City. Received and filed May 9, 1869.
- 20. Ocean Telegraph Company, of Boston, Mass. Received and filed July 15, 1869.
- *21. The American Cable Company, of New York. Received and filed April 15, 1870.
- *22. Southern and Atlantic Telegraph Company, of Philadelphia, Pa. Received and filed July 22, 1870.
- 23. International Ocean Telegraph Company, of New York City. Received and filed January 20, 1871.
- *24. Missouri River Telegraph Company, of Sioux City, Iowa. Received and filed May 3, 1871.
- 25. The Marine and Inland Telegraph Company, of New Jersey, 715 Locust street, Philadelphia. Received and filed November 27, 1872.
- 26. Atlantic and Pacific Telegraph Company, of Missouri; executive office, 145 Broadway, New York City. Received and filed May 8, 1877.
- 27. New Jersey and New England Telegraph Company. Received and filed November 21, 1878. Address A. L. Worthington, No. 10 Green street, Trenton, N. J.
- 28. The American Rapid Telegraph Company, 41 Wall street, New York. Received and filed April 12, 1879. Special rates received and filed April 1, 1881.
- *29. Central Union Telegraph Company, 145 Broadway, New York. Received and filed May 9, 1879.
- *30. New York Land and Ocean Telegraph Company. Received and filed May 10, 1879.
- 31. Deseret Telegraph Company, Salt Lake City, Utah. Received and filed May 19, 1879.
- 32. American Union Telegraph Company, of New York, 145 Broadway, New York. Received and filed July 1, 1879.
- 33. The American Union Telegraph Company of Missouri, Charles S. Greeley, president, Saint Louis, Mo. Received and filed July 9, 1879.
- 34. Wabash Railway Company, Cyrus W. Field, president, New York. Received and filed July 11, 1879.
- *35. The American Union Telegraph Company of New Jersey, D. H. Bates, president, Jersey City, N. J. Received and filed July 17, 1879.
- *36. The Baltimore and Ohio Railroad Company of Maryland, John W. Garrett, president, Baltimore, Md. Received and filed July 18, 1879.
- *37. The American Union Telegraph Company of Baltimore City, Md. Received and filed July 31, 1879.
- *38. The Deer Lodge Telegraph Company, of Butte City, Mont. Received and filed August 30, 1879.
- 39. The American Union Telegraph Company of Pennsylvania, D. H. Bates, president, Philadelphia. Received and filed September 4, 1879.
- 40. The American Union Telegraph Company of Indiana, La Fayette, Ind. Received and filed September 12, 1879.
- *41. The Cheyenne and Black Hills Telegraph Company, W. H. Hibbard, superintendent, Cheyenne, Wyo. Received and filed November 7, 1879.
- 42. The American Union Telegraph Company of Ohio, Frank B. Swayne, president, Toledo, Ohio. Received and filed November 8, 1879.
- 43. The American Union Telegraph Company of Louisiana, Ed. Leloup, secretary, New Orleans, La. Received and filed March 1, 1880.
- *44. Baltimore and Ohio Telegraph Company of Ohio, George Hoadley, president, Cincinnati, Ohio. Received and filed September 3, 1880.
- 45. The Wabash, Saint Louis and Pacific Railway Company of Saint Louis, Mo., Solon Humphreys, president, No. 80 Broadway, New York. Received and filed September 13, 1880.
- *46. Baltimore and Ohio Telegraph Company of Illinois, C. H. Hudson, president, No. 81 South Clark street, Chicago, Ill. Received and filed September 23, 1880.
- 47. Frontier Telegraph Company of Texas, G. O. Appleby, president, Lampasas, Tex. Received and filed October 25, 1880.
- *48. Bankers and Merchants' Telegraph Company of New Jersey, J. Heron Coosman, president, No. 58 Broadway, New York, N. Y. Received and filed April 21, 1881.

* These companies are supposed to be no longer in existence.

49. Bankers and Merchants' Telegraph Company of New York, William W. Maris, president, No. 58 Broadway, New York, N. Y. Received and filed June 8, 1881.
50. Mutual Union Telegraph Company of Illinois, Carroll Sprigg, secretary, Chicago, Ill. Received and filed October 24, 1881.
51. Mutual Union Telegraph Company of Missouri, Carroll Sprigg, secretary, Chicago, Ill. Received and filed November 14, 1881.
- *52. New Jersey Mutual Telegraph Company, John H. Walker, secretary, Newark, N. J. Received and filed November 17, 1881.
53. Bankers and Merchants' Telegraph Company, William W. Maris, president, 58 Broadway, New York. Received and filed December 8, 1881.
- *54. The Baltimore and Ohio Telegraph Company, Welty McCulloch, secretary, Pittsburgh, Pa. Received and filed March 6, 1882.
55. East Tennessee Telephone Company, D. J. Carson, secretary, New York. Received and filed May 31, 1882.
56. Southern Telegraph Company, James F. Cox, president, 48 Exchange Place, New York. Received and filed August 4, 1882.
57. Postal Telegraph Company, A. W. Beard, president, 2 Wall street, New York. Received and filed August 31, 1882.
58. Bankers and Merchants' Telegraph Company of Baltimore City, J. G. Case, secretary, 58 Broadway, New York. Received and filed December 14, 1882.
59. Mutual Union Telegraph Company of New York, John G. Moore, president. Received and filed March 5, 1883.
- *60. The Baltimore and Ohio Telegraph Company in Pennsylvania, J. B. Washington, secretary, Pittsburgh, Pa. Received and filed March 17, 1883.
- *61. The Baltimore and Ohio Telegraph Company of Indiana, George P. Frick, president; Daniel T. Downey, secretary. Received and filed July 17, 1883.
- *62. The Baltimore and Ohio Telegraph Company of the State of New York, George P. Frick, president; Edward R. Golliday, secretary. Received and filed July 17, 1883.
- *63. The Northern and Southern Telegraph Company, corner State and Bridge streets, New York City, John F. Davis, president; William H. Harfield, secretary. Received and filed September 28, 1883.
- *64. Baltimore and Ohio Telegraph Company of New Jersey, George P. Frick, president; Edward R. Golliday, secretary. Received and filed November 7, 1883.
65. National Telegraph Company of New York, Calvin S. Brice, president; F. E. Worcester, secretary. Received and filed January 31, 1884.
66. Philadelphia and Seaboard Telegraph Company of New Jersey, Milton Cowperthwaite, secretary. Received and filed February 23, 1884.
67. Providence and Pascoag Telegraph Company of Rhode Island, D. H. Bates, president; F. Jessen, secretary. Received and filed July 10, 1884.
- *68. Baltimore and Ohio Telegraph Company of Missouri, George P. Frick, president. Received and filed July 18, 1884.
- *69. Baltimore and Ohio Telegraph Company of Louisiana, D. H. Bates, president. Received and filed July 25, 1884.
70. The New England Telegraph Company, F. A. McKeone, president. Received and filed July 26, 1884.
- *71. The Baltimore and Ohio Telegraph Company of Texas, D. H. Bates, president. Received and filed August 13, 1884.
72. The New England Telegraph Company of Massachusetts, Dan. S. Robeson, New York, vice-president. Received and filed September 5, 1884.
73. The Chesapeake and Ohio Telegraph Lines, C. W. Smith, general manager, Richmond, Va. Received and filed September 29, 1884.
- *74. The Baltimore and Ohio Telegraph Company of Massachusetts, D. H. Bates, president. Received and filed December 15, 1884.
75. The Postal Telegraph and Cable Company, Henry Rosener, second vice-president. Received and filed January 29, 1885.
76. The Pacific Telegraph Company, George H. Meyers, secretary. Received and filed July 27, 1885.
- *77. The Baltimore and Ohio Telegraph Company of Baltimore County, Maryland, D. H. Bates, president. Received and filed February 20, 1886.
78. Postal Telegraph-Cable Company, James H. Withington, president. Received and filed April 6, 1886.
79. The North American Telegraph Company, W. H. Eustis, secretary. Received and filed April 22, 1886.
80. The San Juan Telegraph Company, W. E. Block, secretary, Ouray, Colo. Received and filed June 9, 1886.
81. Pacific Postal Telegraph-Cable Company, Henry Rosener, president, New York, N. Y. Received and filed July 20, 1886.
- *82. The Baltimore and Ohio Telegraph Company of Pennsylvania, R. Duryea, secretary, Baltimore, Md. Received and filed September 11, 1886.

* These companies are supposed to be no longer in existence.

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83. The Manhattan Railway Company, D. W. McWilliams, secretary, New York, N. Y. Received and filed October 6, 1886.
84. The Pacific Mutual Telegraph Company, George M. Meyers, secretary, Rosedale, Kans. Received and filed February 24, 1887.
85. The Empire and Bay State Telegraph Company, Henry Macdona, secretary, New York, N. Y. Received and filed July 12, 1887.
86. The Spokane Falls and Wardner Telephone-Telegraph Lines, W. S. Norman, owner, Spokane Falls, Washington Territory. Received and filed August 17, 1887.
87. The Rocky Mountain Telegraph Company, W. M. Cairns, general manager, Butte, Mont. Received and filed August 18, 1887.
88. The Central Arizona Telegraph Company, L. H. Wilson, president, Prescott, Ariz. Received and filed October 6, 1887.
89. W. S. Norman's United States Military Telegraph Line. Between Fort Cœur d'Alene and Spokane Falls. W. S. Norman, Spokane Falls, Wash. Received and filed October 13, 1887.
90. The Wyoming Inland Telegraph Company, F. B. Proctor, secretary, Buffalo, Wyo. Received and filed October 19, 1887.
91. The Chicago Postal Telegraph Company, Marcus Pollasky, president, Chicago, Ill. Received and filed January 3, 1888.

APPENDIX G.

FORM OF ANNUAL REPORT CALLED FOR BY THE INTERSTATE
COMMERCE COMMISSION OF THE UNITED STATES
FOR THE YEAR ENDING JUNE 30, 1888.

EXEMPLIFIED BY THE

ANNUAL REPORT OF NORTHERN PACIFIC RAILROAD COMPANY TO THE
INTERSTATE COMMERCE COMMISSION OF THE UNITED
STATES FOR THE YEAR ENDING JUNE 30, 1888.

RECEIVED SEPTEMBER 26, 1888.

1.—*History.*

1. Name of common carrier making this report?

Northern Pacific R. R. Co.

2. Date of organization?

(Reorganization) September 29, 1875.

3. Under laws of what Government, State, or Territory organized? If more than one, name all; give reference to each statute and all amendments thereof.

Chartered by act of Congress July 2, 1864.

4. If a consolidated company, name the constituent companies? Give reference to charters of each, and all amendments of same.

5. Date and authority for each consolidation?

6. If a reorganized company, give name of original corporation, and refer to laws under which it was organized?

Northern Pacific R. R. Co., chartered by Congress July 2, 1864.

7. (For companies not reporting operations.) What carrier operates the road of this company?

2.—Organization.

Names of Directors.	Post-office address.	Date of expiration of term.
August Belmont.....	New York.....	September, 1888.
Frederick Billings.....	Woodstock, Vt	Do.
John U. Brookman	New York.....	Do.
C. T. Barney	do	Do.
Robert Harris	do	Do.
Brayton Ives	do	Do.
T. F. Oakes	Saint Paul, Minn	Do.
C. B. Wright	Philadelphia.....	Do.
Henry Villard	New York.....	Do.
Edwin H. Abbott.....	Milwaukee	Do.
Charles L. Colby	do	Do.
Colgate Hoyt	New York.....	Do.
John B. Trevor.....	do	Do.
Total number of stockholders at date of last election? 5,353.		
Date of last meeting of stockholders for election of directors? September 15, 1887.		
Give post-office address of general office? New York, 35 Wall street.		
Give post-office address of operating office? Saint Paul, Minn.		

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15.—Operating Expenses.

Items.	Chargeable to passenger traffic.	Chargeable to freight traffic.	Total.
Maintenance of Way and Structures:			
Repairs of roadway	\$543,999.82	\$854,964.81	\$1,398,964.63
Renewals of rails	27,619.10	39,890.37	67,509.47
Renewals of ties	125,341.52	215,597.27	340,938.79
Repairs of bridges and culverts	134,941.60	227,381.13	362,322.73
Repairs of fences, road crossings, signs, and cattle guards	13,637.56	20,150.51	33,788.07
Repairs of buildings	44,604.55	90,510.44	135,114.99
Repairs of docks and wharves	9,142.62	21,799.80	30,941.92
Repairs of telegraph	9,198.02	15,793.86	24,991.88
Other expenses			
Total	908,484.79	1,486,087.69	2,394,572.48
Maintenance of Equipment:			
Repairs and renewals of locomotives	136,382.54	406,753.88	543,136.42
Repairs and renewals of passenger-cars	239,379.52		239,379.52
Repairs and renewals of freight-cars		499,769.49	499,769.49
Repairs and renewals of ferry-boats, tugs, floats, and barges (included in expenses of). (See below)			
Shop machinery, tools, etc. (apportioned among other accounts)			
Other expenses			
Total	375,762.06	906,523.37	1,282,285.43
Conducting Transportation:			
Wages of engineers, firemen, and roundhouse-men	297,059.19	627,482.73	924,541.92
Fuel for locomotives	338,464.10	925,090.11	1,263,554.21
Water-supply for locomotives	32,133.00	61,672.40	93,805.40
All other supplies for locomotives	13,860.49	30,102.88	43,963.37
Wages of other trainmen	209,411.19	571,347.81	780,759.00
All other train supplies	124,819.56	79,499.88	204,318.94
Wages of switchmen, flagmen, and watchmen (included in wages station agents, etc.)			
Expenses of telegraph, including operators	49,063.18	123,179.15	172,242.33
Wages of station agents, clerks, and laborers	95,009.22	341,500.12	436,509.34
Station supplies and incidental expenses	16,484.48	36,681.57	53,166.05
Switching charges—balances (included in station supplies)			
Car mileage—balances			
Loss and damage	33,762.30	57,395.73	91,158.03
Injuries to persons	21,910.63	19,443.17	41,353.80
Barges, floats, tugs, ferry-boats, expenses of, including wages, fuel, and supplies	18,215.54	30,002.94	48,218.48
Other expenses	40,714.81	69,255.25	109,970.06
Total	1,290,907.69	2,973,653.24	4,263,560.93
Total carried forward	2,575,154.54	5,365,264.30	7,940,418.48

16.—Operating Expenses—Continued.

Items.	Chargeable to passenger traffic.	Chargeable to freight traffic.	Total.
Total brought forward	\$2,575,154.54	\$5,365,264.80	\$7,940,418.84
General expenses:			
Salaries of officers.....	148,200.70	312,570.72	460,771.42
Salaries of clerks.....			
General office expenses and supplies	10,989.45	29,245.74	40,235.19
Agencies, including salaries and rent	66,105.43	14,543.62	80,649.05
Advertising.....	55,335.86	9,726.13	65,061.99
Commissions (included in agencies)			
Insurance and loss by fire.....	17,679.01	48,713.89	66,392.90
Expense of fast-freight lines			
Expense of traffic associations.....			
Expense of stock-yards and elevators (apportioned among other accounts)			
Rents of buildings, tracks, yards, and terminals.....			
Legal expenses.....	6,726.56	9,182.04	15,908.60
Stationery and printing	27,159.73	42,289.50	69,449.23
Other general expenses	4,589.83	13,401.04	17,990.87
 Total.....	 336,786.57	 479,672.68	 816,459.25
Recapitulation of expenses:			
Maintenance of Way and Structures.....	908,484.79	1,486,087.69	2,394,572.48
Maintenance of Equipment	375,762.06	906,523.37	1,282,285.43
Conducting Transportation.....	1,290,907.69	2,972,653.24	4,263,560.93
General Expenses.....	336,786.57	479,672.68	816,459.25
Grand Total	2,911,941.11	5,844,936.98	8,756,878.09
 Percentage of operating expenses to earnings.....			56.22

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17.—Rentals Paid.

Items.	Interest on bonds guaranteed.	Dividends on stock guaranteed.	Cash.	Total.
Rents paid for leased roads:				
Name of road:				
St. Paul and Northern Pacific Ry Co.			\$644, 976. 74	\$644, 976. 74
Chicago, St. Paul, Minn. and Omaha Ry ..			2, 139. 72	2, 139. 72
St. Paul, Minneapolis and Manitoba Ry ..			22, 147. 49	22, 147. 49
Minneapolis Union Railway			44, 622. 97	44, 622. 97
Northern Pacific Terminal Company			68, 472. 00	68, 472. 00
Total			782, 358. 92	782, 358. 92
Guaranteed branch roads, being interest and sinking fund on bonded debt:				
Little Falls and Dakota Railroad			122, 990. 00	
Northern Pacific, Fergus and Black Hills Railroad			163, 940. 00	
Fargo and South Western Railroad			122, 360. 00	
S. C. and Turtle Mountain Railroad			51, 100. 00	
Jamestown and Northern Railroad			143, 500. 00	
James River Valley Railroad			57, 780. 00	
Rocky Mountain Railroad of Montana ..			72, 380. 00	
Helena and Jefferson County Railroad ..			28, 140. 00	
Helena and Red Mountain Railroad			24, 000. 00	
Helena and Northern Railroad			5, 279. 17	
Helena, B. Valley and Butte Railroad ..			12, 425. 00	
Drummond and Phillipsburgh Railroad ..			3, 208. 33	
Spokane and Palouse Railway			73, 970. 00	
Total				881, 072. 50
Other rentals paid-				

18.—General Balance Sheet.

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Cost of road, page 9	\$150,571,532.11		Capital stock, page 5	\$98,488,618.17
Cost of equipment, page 9	12,301,987.22		Funded debt, page 6	81,608,500.00
Bonds of other companies owned, page 13			Floating debt, page 7	9,030,390.15
Stocks of other companies owned, page 14				
Other permanent investments			Accrued interest on funded debt not yet payable, page 7	416,345.00
Branch roads:			Deferred payments on land sales applicable to sinking fund when collected	1,502,445.00
Contingent assets	19,767,301.15			
Contingent liabilities	18,768,000.09			
Land owned (about 40,000,000 acres)				
Cash in hands trustee applicable to cancellation of bonds		214,556.54		
Deferred payments on land sales		4,315,823.58		
Cash items, page 7	10,706,922.02		Earnings invested in equipment	2,295,239.29
Less bonds and stock listed above	4,939,023.50		Accumulated sinking funds	1,701,341.30
OTHER ASSETS:		5,767,905.52		
Materials and supplies				
Sinking fund, in hand trustees		1,572,494.37		
Sundries		1,701,341.30		
PROFIT AND LOSS:			PROFIT AND LOSS:	
Deficit from operation			Surplus from operation	787,552.21
Deficit from other business investments			Surplus from other business investments	
		183,740,431.12		183,740,431.12

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19.—Financial Operations for the year.

Resources.		Appropriation of resources.	
Net income from operation.....	\$6,820,731.74	Interest on funded debt paid (accrued)	\$4,703,955.40
Net income from other railroad sources.....	545,784.33	Other interest paid.....	
Net income from other properties.....		Taxes.....	241,288.36
Net amount realized from stock issued		Rentals.....	782,358.92
Net amount realized from bonds issued		Guaranty branch roads.....	881,072.50
Net amount realized from receivers certificates issued		Dividends	
Net increase floating debt.....	2,922,514.58	Reduction of funded debt.....	
Net amount from sales of lands.....	934,811.54	Reduction of floating debt.....	
Net amount from sales of securities, etc.....		Sinking fund.....	335,327.36 *224,095.14
Net amount decrease of cash assets		Permanent improvements.....	417,099.60
Net amount decrease of other assets		Equipment.....	89,907.31
Receipts from other sources.....		Constructing new road.....	3,680,780.84
Increase in funded debt.....	4,898,178.80	Securities purchased.....	
Increase in sinking fund.....	743,622.43	Other properties purchased	
Interest on cash in hands trustees sinking fund.....	10,810.43	Net loss on other properties	
Land sales applicable to sinking fund when collected.....	323,514.06	Increase of cash assets.....	2,638,476.81
Deferred payments on land sales credited property acquired under decree	104,648.76	Increase of other assets.....	1,647,728.59
		Other expenditures	15,060.29
		Preferred stock cancelled.....	297,581.00
		Increase in supply accounts.....	147,048.42
		Increase cash in hands trustees.....	24,648.21
		Increase payments to trustees sinking fund.....	743,622.43
		Property acquired under decree.....	6,402.61
		Increase in deferred payments land sales	428,162.82
	17,304,616.67		17,304,616.67

* From land receipts and interest.

20.—Important Changes during the year.

Below state all extensions of road put in operation; all leases taken or surrendered; all consolidations or reorganizations effected; all new mortgages or stock issued, and all other important physical or financial changes, giving details in each instance.

New roads leased and placed under operation:

Southeastern Dakota Railroad, opened for business October 19, 1887.

Duluth and Manitoba Railroad extension, Grand Forks to Boundary Line, opened for business October 7, 1887.

Cokedale Spur, opened for business September 1, 1887.

Northern Pacific, La Moure and Missouri River Railroad, opened for business November 1, 1887.

Helena and Northern Railroad, opened for business November 20, 1887.

Drummond and Phillipsburgh Railroad, opened for business November 20, 1887.

Helena, B. Valley and Butte Railroad, opened for business December 1, 1887.

Missoula and Bitter Root Valley Railroad, opened for business June 1, 1888.

General Third Mortgage:

Made December 1, 1887. Amount authorized, \$12,000,000. Amount issued to June 30, 1888, \$8,593,000.

During the year \$298,000 Pend d'Oreille Division bonds, \$30,500 Missouri Division bonds, and \$297,581 preferred stock were cancelled with proceeds from land sales.

No new stock issued.

21.—*Contracts, Agreements, etc.*

Here give a concise statement of all existing contracts, agreements, arrangements, etc., with other companies or persons, concerning the transportation of freight or passengers. Give the statement in the following order, viz: 1. Express companies; 2. Mails; 3. Sleeping, parlor, or dining car companies; 4. Freight or transportation companies or lines; 5. Other railroad companies; 6. Steam-boat or steam-ship companies; 7. Telegraph companies; 8. Other contracts.

1. The Northern Pacific Express Company runs over all lines operated by this company, paying one and one-half first-class rates, except in a few instances.
2. Have no contracts for transportation of mails. The Government pays a specified rate per mile per annum, based on the average weight of mails carried on different sections of the road.
3. Sleeping-cars are owned by the Northern Pacific Railroad Company and Pullman Palace Car Company jointly; operated by the latter company, and earnings and expenses shared equally by both.
Dining-cars are owned and operated by Northern Pacific Railroad Company.
4. None.
5. With Oregon Railway and Navigation Company for interchange of business at Wallula, W. T.
With Oregon and Washington Territory Railroad Company for interchange of business at Wallula, W. T.
With Puget Sound Shore Railroad Company for interchange of business at Stuck Junction, W. T.
6. With Pacific Coast Steamship Company for interchange of business at Tacoma, W. T.
7. With Western Union Telegraph Company to build two wire lines, Northern Pacific Railroad Company to pay one-third the expense. Additional wires to be supplied by the company requiring them. Railroad company to keep lines in repair. Telegraph receipts, with the exception of certain offices, are to be divided, one-third to railroad company and two-thirds to telegraph company. Railroad company pays operators at all offices where the business does not exceed twenty paid messages daily.

22.—Security for Funded Debt (page 6).

Class of bond or obligation.	What road mortgaged.			What equipment mortgaged.	What income mortgaged.	What securities mortgaged.
	From—	To—	Miles.			
First Mortgage bonds Missouri Division.....	Missouri River	Yellowstone River.....	205			SECURITY. Road appurtenances and lands pertaining to said division is the security for payment of principal and interest on these bonds.
First Mortgage bonds Pend d'Oreille Division.....	Snake River.....	Lake Pend d'Oreille..	225			
General First Mortgage bonds.....	Ashland, Wis.....	Portland, Oregon and Wallula, W. T.	2, 140.1			
General Second Mortgage bonds.....	do	do	2, 140.1			Same terms as general first mortgage, including a lien upon the income, earnings, and profits of the company. Subject to the prior liens above mentioned.
General Third Mortgage bonds.....	do	do	2, 140.1			Same terms as general second mortgage.
Dividend Certificates extended .....	.....	.....	.....			Not secured. Can be exchanged for General Third Mortgage bonds.

23.—*Employés and Salaries.*

Class.	Number.	Total yearly compensation.	Average daily compensation.
General officers.....	89	\$309,460.00	
Outside and traveling agents.....	44	67,900.00	
General office clerks.....	356	312,614.00	\$2.42
Station agents.....	237	185,140.00	2.14
Other station men.....	416	279,460.96	1.84
Enginemen.....	449	633,925.92	3.87
Firemen.....	449	362,960.76	2.21
Conductors.....	297	344,284.20	3.17
Other trainmen.....	561	413,364.96	2.02
Machinists.....	280	240,753.84	2.75
Carpenters.....	707	576,822.08	2.61
Other shopmen.....	909	617,243.64	2.17
Section foremen.....	539	365,820.00	1.86
Other trackmen.....	2,579	1,218,410.24	1.51
Switchmen, flagmen and watchmen.....	239	195,352.92	2.24
Telegraph operators and dispatchers.....	225	186,985.48	2.28
Employés—account floating equipment.....	26	24,000.00	2.53
All other employés and laborers.....	501	294,032.04	1.87
Total.....	8,903	6,628,531.04	.....
Distribution of above:			
General administration.....	489	689,974.00	.....
Maintenance of way and structure.....	3,752	2,057,091.40	.....
Maintenance of equipment.....	1,763	1,255,990.44	.....
Conducting transportation.....	2,899	2,625,475.20	.....
Total.....	8,903	6,628,531.04	.....

This statement is based on pay-roll for June, 1888; that is, the number represents those appearing on June roll. The yearly compensation is twelve times the amount of June rolls.

24.—*Passenger, Freight and Train Mileage.*

	Column for tonnage, number passengers, mileage, number of cars.	Column for revenue and rates.
Passenger Traffic:		
Number of passengers carried earning revenue.....	1,343,737	.....
Number of passengers carried one mile.....	159,483,895	.....
Average distance carried.....	118.76	.....
Total passenger revenue.....		\$4,367,530.11
Amount received from each passenger.....		3.25
Average receipts per passenger per mile.....		.02737+
Cost of carrying each passenger one mile (assuming entire passenger expenses).....		.00183
Passenger earnings per mile of road (operated 3,219.3 miles).....		\$1,598.13
Passenger earnings per train mile (3,281,880).....		1.59
Freight Traffic:		
Number of tons carried of freight earning revenue.....	2,597,897	.....
Number of tons carried one mile.....	704,772,506	.....
Average distance haul of one ton.....	271	.....
Total freight revenue.....		10,127,461.31
Amount received for each ton of freight.....		3.89
Average receipts per ton per mile.....		.01437+
Cost of carrying one ton one mile.....		.0083
Freight earnings per mile of road.....		3,145.86
Freight earnings per train mile—north or east.....		1.86+
Freight earnings per train mile—south or west.....		
Passenger and Freight:		
Passenger and freight earnings.....		14,494,991.42
Passenger and freight earnings per mile of road.....		4,743.99
Expense per mile of road operated.....		2,720.12
Total earnings per mile of road, including mails, express, etc.....		4,838.82
Train Mileage:		
Miles run by passenger trains.....	3,281,380	.....
Miles run by freight trains.....	5,427,226	.....
Miles run by mixed trains.....		.....
Total mileage trains earning revenue.....	8,708,606	.....
Miles run by switching trains (included in freight and passenger).....		.....
Miles run by construction and other trains.....	280,074	.....
Total train mileage.....	8,988,680	.....
Mileage of loaded freight cars—north or east.....	81,677,109	.....
Mileage of loaded freight cars—south or west.....		.....
Mileage of empty freight cars—north or east.....	27,111,213	.....
Mileage of empty freight cars—south or west.....		.....
Average number of freight cars in train.....	20	.....
Average number of loaded cars in train (not kept).....		.....
Average number of empty cars in train (not kept).....		.....
Average number of tons of freight in train.....	129.8
Average number of tons of freight in each car.....	6.43

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25.—Freight Traffic Movement—(Company's material excluded.)

Commodities.		Freight originating on this road. Whole tons.	Freight re- ceived from connecting roads and other carriers. Whole tons.	Total freight tonnage.	
				Whole tons.	Per cent.
Products of Agriculture	Grain	578,382	49,128	627,510	24.15
	Flour	92,724	3,556	96,280	3.71
	Other mill products } Hay (included with agricultural products).				
	Tobacco				
	Cotton				
	Fruit and vegetables (included with agricultural products). Agricultural products	49,440	10,116	59,596	2.29
Products of Animals.	Live stock	84,359	11,007	95,366	3.67
	Dressed meats				
	Other packing-house } products				
	Poultry, game, and } fish				
	Wool	6,738	2,175	8,913	.34
	Hides and leather }				
Products of Mines.	Anthracite Coal } Bituminous coal } Coke	364,845	51,663	416,508	16.03
	Ores	101,594	790	102,384	3.94
	Stone, sand, and other like articles	61,391	21,090	82,481	3.18
Products of Forest.	Lumber and other forest prod- ucts	521,754	41,962	563,716	21.70
Manufactures.	Petroleum and other oils	6,407	12,673	19,080	.73
	Sugar (included with groceries and provisions). Naval stores				
	Iron, pig and bloom				
	Iron and steel rails	21,520	48,040	69,560	2.68
	Other castings and machinery } Bar and sheet metal				
	Cement, brick, and lime (included with stone, sand, etc.). Agricultural implements... }	4,464	11,082	15,546	.60
	Wagons, carriages, tools, etc } Wines, liquors, and beers (in- cluded with merchandise). Household goods and furniture, (included with merchandise).				
	Groceries and provisions	12,375	19,793	32,168	1.24
	Merchandise and other articles	150,705	113,695	264,400	10.18
Miscellaneous:					
	Other commodities not mentioned above.				
	Construction material	117,842	26,547	144,389	5.56
Total tonnage		2,174,580	423,317	2,597,897	100.00

26.—Description of Equipment.

	Number added during year.	Total number at end of year.	Equipped with train-brake.		Cars fitted with automatic coupler.	
			No.	Kind.	No.	Kind.
Locomotives:						
Passenger		58	58			
Freight		305	241			
Switching		27	10			
Total		390	309			
Cars in passenger service:						
First-class passenger cars		46	46	Westinghouse.	46	Miller.
Second-class passenger cars		53	53	do	53	Do.
Combination passenger cars		8	8	do	8	Do.
Emigrant cars (10 third-class, 33 sleepers.)		43	43	do	43	Do.
Dining cars		13	13	do	13	Do.
Parlor cars						
Sleeping cars (one-half interest)		23	23	Westinghouse.	23	Do.
Baggage, express, and postal cars		82	82	do	82	Do.
Other cars in passenger service						
Business cars, 7; superintendent's cars, 8.		15	15	Westinghouse.	15	Do.
Total		283	283		283	
Cars in freight service:						
Box cars	135	5,010	2,428	Westinghouse.		
Flat cars		2,515				
Stock cars	18	919	919	Westinghouse.		
Coal cars (8-wheel, 430; 4-wheel, 423).		853				
Tank cars		2				
Refrigerator cars, 71; fruit cars, 15.		86	86	Westinghouse.		
Other cars, ferry, 4; logging, 12.	12	16	4	do		
Total	165	9,401	3,437			
Cars in company's service:						
Gravel cars						
Derrick cars		10				
Caboose cars	40	216	117	Westinghouse.		
Other road cars	156	1,318	4	do		
Total	196	1,544	121			
Cars contributed to fast-freight line service:						
Total owned						
Locomotives leased:						
Passenger, 22; switching, 10	32	32	30			
Cars leased:						
Box	850	850	850			
Grand total	1,243	12,500	5,030		283	

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27.—Mileage of Road Operated.

Line in use.	Main line.	Branches.	Leased.	Other ownership.	Total mileage.	New line constructed during year.	Rails.	
							Iron.	Steel.
Length of single track	2,140.1	.....	461.5	714.9	3,316.5	234.8	440.7	2,875.8
Length of second track	4.2	.....	.....	.....	4.2	.....	.....	4.2
Length of third track	.....	.....	.....	.....	.....	.....	.....	.....
Length of fourth track	.....	.....	.....	.....	.....	.....	.....	.....
Length of yard track, sidings, and spurs	337.8	.....	58.1	56.8	452.7	32.6	255.1	197.6
Aggregate length of all tracks	2,482.1	.....	519.6	771.7	3,773.4	267.4	695.8	3,077.6
Mileage of line by States and Territories:								
Wisconsin	78.4	.....	3.9	1.2	83.5	.....	.....	83.5
Minnesota	268.0	.....	253.5	188.0	679.5	.....	92.2	587.3
Dakota	378.3	.....	160.4	298.7	837.4	126.4	156.2	681.2
Montana	781.9	.....	.....	196.0	977.9	108.4	69.7	908.2
Idaho	83.0	.....	.....	13.6	96.6	.....	.....	96.6
Washington	542.5	.....	43.7	17.4	603.6	.....	122.6	481.0
Oregon	38.0	.....	.....	.....	38.0	.....	.....	38.0

Renewals of Rails and Ties.

New rails laid during year, . Iron, none. Steel, 3,346,227 tons. Average price of rails at distributing point: Iron, per ton. Steel, \$40 per ton.

New ties laid during year, . Kind, . Number, 961,006. Average price at distributing point, 35½ cents.

28.—Consumption of Fuel by Locomotives.

Locomotives.	Coal, tons.		Wood, cords.		Total fuel consumed, tons.	Miles run.	Average pounds consumed per mile.
	Anthracite.	Bituminous.	Hard.	Soft.			
Passenger		95,786	426	3,840	97,990	3,362,605	53.28
Freight		262,861	784	7,060	266,914	6,053,820	83.18
Switching		24,504	96	859	24,997	1,891,368	26.43
Construction		20,185	51	463	20,451	1,081,140	37.83
Total		403,336	1,357	12,222	410,352	12,388,933	60.24
Average cost at distributing point on engines		\$3.21	\$3.00	\$3.00			

Accidents.

Persons.	Number killed.	Number injured.	Total.	Kind of accident.	Number killed.	Number injured.	Total.
Passengers	4	21	25	Collisions	4	18	22
Employés	21	174	195	Derailements	2	28	30
Other persons	16	19	35	Coupling cars	5	72	77
				Grade crossings	1	1	1
				Other causes	29	96	125
Total	41	214	255	Total	41	214	255

29.—*Characteristics of Road.*

Working divisions or branches.			Alignment.		Profile.									
From—	To—	Length.	Number of curves.	Aggregate length of curved lines.	Length of straight track.	Length of level track.	Ascending grades.		Descending grades.					
							Number.	Sum of ascents.	Aggregate length of ascending grades.	Number.	Sum of descents.	Aggregate length of descending grades.		
Ashland, Wis.....	North Pacific Junc., Minn.	87.5	93	16.9	70.6	10.9	W.	48	1,626	42.5	W.	49	1,158	34.1
North Pacific Junction.....	Red River.....	228.9	115	59.8	199.1	57.5	W.	138	1,788	74.4	W.	153	1,966	97.0
Red River.....	Missouri River.....	196.8	101	26.0	170.8	36.8	W.	116	2,541	92.8	W.	107	1,770	67.2
Missouri River.....	Glendive, Mont.....	219.0	257	65.2	153.8	26.3	W.	118	3,044	115.4	W.	112	2,650	77.3
Glendive.....	Billings, Mont.....	235.1	195	41.3	193.8	59.6	W.	145	1,848	124.5	W.	106	2,805	41.0
Billings.....	Helena, Mont.....	238.5	178	47.4	191.1	24.7	W.	166	3,464	124.2	W.	143	2,644	89.6
Helena.....	Heron, Mont.....	273.8	343	80.2	193.6	25.7	W.	77	3,398	61.6	W.	129	5,086	196.5
Heron.....	Wallula, Wash.....	269.5	347	76.1	193.4	48.7	W.	150	2,080	78.2	W.	102	4,013	142.6
Pasco.....	Tacoma, Wash.....	257.8	417	72.0	185.8	49.5	W.	72	3,853	121.3	W.	60	4,224	84.0
Tacoma.....	Portland, Oregon.....	143.2	199	44.2	99.0	52.2	W.	85	1,848	38.2	W.	71	1,342	52.8
Superior, Wis.....	Duluth, Minn.....	6.8	12	1.6	5.2	3.2	NW.	2	28	1.7	NW.	5	53	1.9
Duluth, Minn.....	North Pacific Junc., Minn.	23.5	49	8.0	15.5	9.7	W.	3	505	11.9	W.	1	30	1.9
Saint Paul.....	Brainerd, Minn.....	143.4	73	18.0	125.4	26.7	N.	109	1,119	80.4	N.	84	626	36.3
Little Falls.....	Morris, Minn.....	87.8	100	17.6	70.2	18.3	SW.	71	1,107	39.3	SW.	64	1,083	30.2
Wadena Junction.....	Minor, Dak.....	117.1	99	17.8	99.3	26.1	W.	117	841	42.6	W.	114	1,092	48.4
Fairview Junction, Dak.....	Great Bend, Dak.....	8.9	12	1.7	7.2	4.9	S.	6	17	3.6	S.	3	7	0.4
Winnipeg Junction, Minn.....	National Boundary, Dak.....	206.3	93	19.7	186.6	67.4	NW.	105	710	46.6	NW.	124	1,100	92.3
Fargo, Dak.....	Edgeley, Dak.....	108.7	57	9.3	99.4	24.8	W.	95	1,230	60.0	W.	63	1,566	23.9
Janestown, Dak.....	Oakes, Dak.....	36.5	74	15.1	49.1	13.3	S.	72	341	20.8	S.	79	533	39.1
Sanborn, Dak.....	Cooperstown, Dak.....	64.2	29	4.2	32.3	5.6	N.	56	346	15.8	N.	58	338	15.5
Janestown, Dak.....	Minnekahton, Dak.....	102.5	37	8.6	93.9	12.5	N.	93	1,033	47.0	N.	59	939	43.0
Livingston, Mont.....	Cinnabar, Mont.....	51.7	63	11.4	40.3	5.6	S.	49	1,174	35.2	S.	41	480	10.9
Coal Spur, Mont.....	Wickes, Mont.....	3.6	40	1.7	1.9	0.0	S.	6	387	3.3	S.	3	19	0.3
Trickley, Mont.....	Calvin, Mont.....	20.1	55	5.3	14.8	1.3	S.	9	1,267	18.3	S.	2	742	8.0
Jefferson Junction, Mont.....	Rimini, Mont.....	30.0	99	11.6	18.4	1.6	SW.	9	1,706	20.4	SW.	1	26	0.8
Helena, Mont.....	Marysville, Mont.....	16.7	37	3.8	12.9	1.6	SW.	6	1,415	14.3	SW.	1	42	1.0
Clough Junction, Mont.....	Phillipsburgh, Mont.....	12.5	57	6.0	6.5	1.9	N.	5	1,103	9.6	N.	2	5	0.3
Drummond, Mont.....	Victor, Mont.....	25.8	28	3.7	22.1	0.5	S.	1	1,232	25.0	S.	1	5	0.3
Missoula, Mont.....	Coeur d'Alene, Idaho.....	35.6	40	6.2	29.4	7.9	S.	15	360	19.5	S.	9	160	8.2
Hanser Junction, Idaho.....	Belmont, Wash.....	13.6	33	4.3	9.3	1.6	SE.	18	272	6.0	SE.	21	280	6.0
Marshall Junction, Wash.....	Carbonado, Wash.....	43.7	106	16.5	27.2	5.0	S.	28	938	23.1	S.	17	543	15.6
South Pacific Junc., Wash.....	Stuck Junction, Wash.....	10.4	38	3.9	6.5	0.9	E.	5	788	9.5	E.	0	0	0
Puyallup Junction, Wash.....		7.0	2	1.0	6.0	2.0	N.	6	68	3.5	N.	4	24	1.5

30.—*Characteristics of Road*—Continued.**Bridges:****State number stone—**

Iron	23
Wooden	73
Combination	41

Trestles:

State aggregate length	496,547
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Tunnels:

State number	11
Maximum length	3,848
Minimum length	55
Aggregate length of all tunnels	13,933

Gauge of track	4' 8 $\frac{1}{2}$ "
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Telegraph:

Owned by this company, none; jointly with Western Union Telegraph

Company	3,272.5 miles of line.
Owned by this company	6,021.8 miles of wire.
Owned by Western Union Telegraph Company	14.5 miles of line.
Operated by this company	3,287.0 miles of line.
Operated by this company	6,021.8 miles of wire.
Operated jointly with Western Union Telegraph Company	1,227.1 miles of wire.
Operated by Western Union Telegraph Company	3,287.0 miles of line.
Operated by Western Union Telegraph Company	5,189.9 miles of wire.

31.—Oath.

STATE OF NEW YORK,

County of New York, ss:

We, the undersigned, Robert Harris, President, and J. A. Barker, General Auditor of the Northern Pacific Railroad Company, on our oath do severally say that the foregoing return has been prepared, under our direction, from the original books, papers, and records of said company; that we have carefully examined the same, and declare the same to be a complete and correct statement of the business and affairs of said company in respect to each and every matter and thing therein set forth, to the best of our knowledge, information, and belief; and we further say that no deductions were made before stating the gross earnings or receipts herein set forth, except those shown in the foregoing accounts; and that the accounts and figures contained in the foregoing return embrace all of the financial operations of said company during the period for which said return is made.

(Signed)

ROBERT HARRIS,

*President**(or other chief officer).*

(Signed)

J. A. BARKER,

*General Auditor**(or other officer in charge of the accounts).*

Subscribed and sworn to before me this 12th day of September, 1888.

[SEAL.]

L. R. KIDDER,

Notary Public (91), New York County.

Instructions for the guidance of carriers in making annual reports to the Interstate Commerce Commission, as required by section 20 of the act to regulate commerce.

INTERSTATE COMMERCE COMMISSION,
AUDITOR'S OFFICE,
Washington, June 15, 1888.

TO CARRIERS:

Under the authority conferred by section 20 of the act to regulate commerce, the Commission has decided that the annual report to be made by carriers shall cover the period ending with the 30th day of June in each year.

One report of *operations* only need be made for each line or system operated as a unit. In such cases the requirements of each page of the blank will be observed. Each leased road which maintains a separate organization for the purpose of distribution of rentals received, will make for itself a *financial* report as called for by pages Nos. 1, 2, 3, 5, 6, 7, 8, 9, 11, 13, 14, 18, 19, 20, 22, and 31.

All carriers are required to file the report with the Commission on or before September 15 of each year. As the work of the Commission will be greatly facilitated by the prompt reception of these reports it is hoped that the extreme limit of time allowed for filing the same will not be needful to a majority of the carriers, but that every carrier will endeavor to forward its report to the Commission at the earliest possible date after June 30. One original report only is to be sent to the Commission, verified as indicated upon page 31 of the form.

Uniformity in detail is particularly sought for, and to secure this result it is especially urged that the explanations and instructions herein given be closely observed.

It will be noticed that the forms to be filled out are in each case given on the right hand pages, and that those to the left hand are blank. These blank pages are provided for explanations, or as additional space if the ruled form is found not to be sufficiently large.

If the entries to be made are not in accordance with the prescribed instructions, or from any cause are peculiar, special or different from what the terms employed would be ordinarily understood to imply, it is requested that a full explanation be given on the blank page opposite such entries. In case accurate figures for any item are not in hand by September 1, the account may be closed and the word "approximate" written against the entry upon the report; when the correct figures are procured this office should be advised of what changes are necessary to be made upon the report filed.

Each question and each table should bear some notation to indicate that it was not overlooked when compiling the report. In all the tables requiring figures, ciphers should be placed opposite each item when there is nothing to report. Opposite the questions complete answers should be given, and for the pages requiring descriptive answers care should be taken to so word the replies that they will not be subject to doubtful interpretation. A careful compliance with this part of the instructions will avoid the necessity of returning the books for correction, and will prevent much correspondence and consequent delays.

The value of the reports to Congress and the public, as well as to the corporations themselves, is dependent upon their accuracy and completeness, and it is urged that every effort be made by the officers in charge of accounts to satisfy themselves that the report has been carefully prepared, and subjected to such checks as seem necessary to assure its correctness.

It is anticipated that many carriers will find it difficult to give all the results desired, owing to their former system of accounts being in many respects at variance with this form. These conditions are appreciated and accepted as existing in connection with the tables calling for data for long periods, and also as to some of the inquiries applying only to the year's business. To the extent that the procurement of such data may work too severe a burden upon the roads, the Commission is disposed to make all reasonable allowances for any difficulties in the preparation of the report for the first year. It is hoped, however, that an earnest effort will be made to fur-

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nish the data asked for in full, and that for subsequent years the accounting in each of the various departments of the roads will be adjusted to harmonize with the requirements of the report to be made to this Commission.

For the Commission,

C. C. McCain,
Auditor.

INSTRUCTIONS.

The following instructions should be observed when compiling the data required under the respective headings of the different pages of the report; such pages of the report as are not referred to are considered self-explanatory:

HISTORY (PAGE 1).

NAME OF COMMON CARRIER MAKING THIS REPORT.

If the report is made by receivers, trustees, committees of bondholders, or individuals otherwise in possession of the property, state names and facts with precision, first giving the name of the corporation holding the franchise under which the operations are carried on.

DATE OF ORGANIZATION.

If incorporated under a special charter, give date of the passage of the act; if under a general law, give date of filing certificate of organization; if a reorganization has been effected, give date of reorganization. If a receivership or other trust, give date when such receivership or other possession began. If a partnership, give date of formation and give names of present partners in full.

UNDER LAWS OF WHAT GOVERNMENT, STATE, OR TERRITORY ORGANIZED.

Give reference to laws of each State or Territory under which organized. Include any grant of corporate powers by the United States, Canada, or other foreign country; also all amendments to charter.

IF A CONSOLIDATED COMPANY, NAME CONSTITUENT COMPANIES.

Give reference to special or general laws under which each consolidation was effected. Specify Government, State, or Territory under which each company now consolidated with present company was organized; give reference to charters of each and all amendments of same. Cases of practical consolidation or merger, effected by ownership or control of capital stock, or by leases of long duration when the lessor company does not keep up an independent organization for the purpose of distributing income, or otherwise accomplished in such manner that no distinction is made in operating and accounting by reason of the original separate incorporation, may be treated as consolidations in fact, and should be stated and explained in answer to this and the next following inquiry.

In such cases no separate return from the subsidiary road is required.

IF A REORGANIZED COMPANY, GIVE NAME OF ORIGINAL CORPORATION AND REFER TO LAWS UNDER WHICH ORGANIZED.

State the occasion for the reorganization, whether by reason of foreclosure of mortgage, or otherwise, according to the fact. Give date of organization of original corporation and refer to laws under which organized.

WHAT CARRIER OPERATES THE ROAD OF THIS COMPANY?

This inquiry is to be answered only by companies which maintain an organization for the purpose of distribution of rentals received, and which make a financial report alone.

OFFICERS (PAGE 3).

Give the names and post-office address of the various officers called for. If there are receivers, trustees, committees, or other officials not provided for in the list, and

who are recognized as in the controlling management of the road or a department thereof, give also their names, titles, and the location of their offices. If the duties of an official extend to more than one department, or if his duties are not in accordance with the customary acceptance of his given title, state briefly the facts.

PROPERTY OPERATED (PAGE 4).

NAME OF EVERY RAILROAD THE OPERATIONS OF WHICH ARE INCLUDED IN THE REVENUE ACCOUNT.

Name first the reporting company; give the length of its original road; follow with all other roads now incorporated in its main line; then name the branches owned; next the leased roads, and all other roads operated through ownership of stock or otherwise. In giving length in miles state actual distance between termini.

NAME OF ALL COAL, BRIDGE, CANAL, OR OTHER PROPERTIES THE PROFIT AND LOSS ONLY FROM WHICH IS INCLUDED IN THE GENERAL BALANCE-SHEET.

This statement should specify any and all Government land grants, coal or other business properties, as well as all canals, bridges, ferries, steam-boats, or other instrumentalities of commerce, if any, the earnings, expenses, and other operations of which are brought into the general balance-sheet of the carrier making this return, but which are not included in the revenue account.

CAPITAL STOCK (PAGE 5).

Opposite "*Common*" and "*Preferred*" give number of shares and par value of each class of stock authorized by charter, articles of association, or vote of stockholders, with the amount of each class issued and outstanding. If stock is commonly designated as "*Guaranteed*," insert that title in lieu of "*Preferred*." If payments have been made by way of calls upon authorized stock not yet actually issued, give the amount of such payments and state facts on opposite page.

Under the heading of "*Market price of shares*," state the price at which each issue of common and preferred stock could be purchased on June 30, 1888, and the average price of the same for the year, at the market in the United States which governs the price. If the stock is not listed give price of last known bona-fide sale. Give rate and amount of dividends declared for the entire year.

The manner of payment for capital stock should embrace—

- (1) "*Issued for cash*."—The actual amount of cash realized.
- (2) "*Issued for construction*."—State the terms of the construction contract, so far as to show the consideration received for the stock; and also all bonds and other consideration accompanying the same.
- (3) "*Issued for reorganization*."—State the terms of the reorganization contracts, so far as to show what securities or obligations were retired by or exchanged for the present stock, and the terms.
- (4) In respect to stock issued for other purposes, as for purchase of real estate, acquisition of other property, bonus on sale of bonds, etc., particulars and explanations should be given showing the precise equivalent received by the company.

A statement of the actual present capital stock of the company making this report is all that page 5 is intended to show. Stocks, bonds, etc., of leased lines must be stated by each company for itself.

In cases where the present management of the carrier making the return is unable to ascertain the consideration upon which the stock was originally issued, that fact should be stated. Do not report stock as issued for cash unless it is known that such was the fact, or to an extent exceeding the money actually realized.

FUNDED DEBT (PAGE 6).

CLASS OF BOND OR OBLIGATION.

If receiver's certificates are outstanding, give particulars of the same, and file copy of each order of court under which the same were authorized.

Bonds belonging to sinking funds are to be treated as outstanding.

Page 22 calls for a description of the securities for funded debt, and instructions relating to that page will be found in their proper place.

Under caption "*Cash realized*" state the net amount of money which actually accrued to the company upon the negotiation of the securities. For example, if any of the bonds were sold at less than par or at a premium, state the result of the trans-

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action correctly. But if bonds were issued for reorganization, or other purposes than for cash or its equivalent, state the fact, and give explanation on opposite page.

Under "*Interest, when payable*," give dates on which coupons fall due.

Under "*Total accrued during year*" give the interest for twelve months upon all obligations of each class outstanding during that period, or for the time the same were actually outstanding, if less than a year.

Under "*Paid during year*" give actual amount of coupons retired and canceled.

FLOATING DEBT AND CURRENT LIABILITIES (PAGE 7).

This table calls for a statement of the floating debt and liabilities accrued to the date of the report.

LIABILITIES ACCRUING UP TO AND INCLUDING JUNE 30.

Loans and bills payable.—State the amount of all loans or bills payable due on or prior to June 30, and which remain unpaid on that date; and also all outstanding loans and bills payable not yet due, or payable on demand.

Audited vouchers and accounts.—State the amount of audited vouchers and of accounts applying to the business up to and including June 30, which have been approved for payment at the date of filing the report, or for which a recognized liability against the company exists.

Wages and salaries.—State the amount of wages and salaries due for services rendered up to and including June 30, and remaining unpaid on that date.

Net traffic balances.—State the amount due to other companies (after deducting the amount due from other companies) on operations up to and including June 30.

Dividends not called for.—State the amount of all dividends remaining unpaid on June 30, which have been declared up to and including that date.

Matured interest coupons unpaid.—State the amount of all interest due and unpaid up to and including June 30; in this amount include also interest falling due as of date July 1.

Rentals due July 1.—State all sums due for rent of leased roads and other proper ties up to and including July 1.

Miscellaneous.—State any other unfunded indebtedness not previously specified.

CASH ASSETS AVAILABLE FOR PAYMENT OF FLOATING DEBT AND CURRENT LIABILITIES.

This table calls for a statement of actual cash assets in any form which, in the ordinary operation of the property, may be applied to the payment of the floating debt or current liabilities.

Cash.—State under this heading the total amount of cash in the hands of the treasurer, banks, or other depositories, available for use upon demand.

Bills receivable.—The amount under this heading should represent the value of all bona fide and collectible obligations held by the company in the form of bills receivable, or other evidences of moneys loaned, due on demand or at a future date.

Due from agents.—State the amount due from agents of the company, including conductors and station agents, which is to be remitted as applying to business up to and including June 30.

Net traffic balances.—State the amount due from other companies (after deducting the amount due to other companies) on operations up to and including June 30.

Due from solvent companies and individuals.—Under this heading should be stated the amount due from the various sources indicated, payment of which is reasonably assured.

Other cash assets.—State the value of other proper cash assets, if any, naming same. Do not include materials and supplies.

Recapitulation.—Under "Apportionment" an opportunity is given to distribute the capitalization and the mortgage and other indebtedness between the railroad proper and any canal, coal, and other properties which the carrier may own and which constitute part of its total estate, although independently carried on. It is not expected that this can be done with precise accuracy in all cases, but an estimate can be made of the comparative value of each, and allotment made to the respective properties accordingly. In case of funded debt, the mortgage at times will indicate the property to which it should be treated as applicable; or if both classes of property are included in the same mortgage, an equitable apportionment can be made.

The object is to ascertain the amount of stock and indebtedness appertaining to the railroad property the operations of which are reported. With this explanation the matter is left to the discretion of the officials making this return.

If the entire property of the carrier is substantially railroad property, and is oper-

ated as a unit, the whole amount of the stock and debt will be stated under the head "*To railroads.*" It is expected that this will usually be the case.

Amount of capital stock or debt per mile of road should be given for the respective parts of line if stock or bonds, as issued, represent different parts.

PERMANENT IMPROVEMENTS FOR THE YEAR (PAGE 8).

This statement is for the purpose of showing to what extent permanent improvements have been made upon the property and equipment during each year. No charge should be made to this account for renewals merely, nor unless it is a permanent addition or betterment to the property. Expenditures beyond what is necessary to maintain the property in an efficient condition should be stated in this account. Expenditures made by lessees for improvements on leased lines, for which the lessee is immediately to be re-imbursed, should not be included in the report of the lessee, but should appear in their proper place in the report made by the lessor.

Of the expenditures made for permanent improvements, the amounts are to be divided so as to show such as are included in the operating expenses (page 15), separate from those not so included. The various items named are sufficiently explicit to indicate what expenditures are to be placed under each. Cash realized from property and materials sold must be credited to the account to which the items were originally charged.

COST OF ROAD AND EQUIPMENT (PAGE 9).

This statement is for the purpose of obtaining the total cost of road and equipment to date, showing, also, the additions to the property during the current year. The items specified are the same as given on page 8, showing the permanent improvements for the year, from which statement the net additions for the year are to be brought.

If the past methods of accounting of any of the roads have not been such as will permit them to now give the expenditures for all of the separate items called for, the details should be stated as far as known.

INCOME ACCOUNT (PAGE 10).

The income from operation is to be obtained as indicated. The gross earnings include all earnings from operation, as given in detail on page 12. The expenses to be deducted are the expenses charged to operation, as per page 16.

The income from other sources are to be given as follows:

Interest on bonds owned; interest on stocks owned.—These amounts should be the net income, after the deduction of any expenses incurred in securing that revenue.

Miscellaneous income.—Should include interest received, rents of buildings or land, and income from all other sources pertaining to the railroad property, as distinguished upon page 4 from the other properties operated, if any. All expenses for the maintenance of the property upon which this miscellaneous income is derived, and expenses incurred in securing that income, should be stated under head of "*Less expenses,*" on page 14.

Deductions from income.—To include: Interest on funded debt accrued during the year preceding the closing date of this report; interest and discount on floating debt paid during the year; taxes; rentals of leased lines; and other expenses and outlays, if any, not incurred in the operation of the road.

Dividends declared should state the per cent. and amount for each class of stock; and other payments, if any, made from net income, should be described.

INCOME ACCOUNT FOR ROADS UNDER LEASE ONLY (PAGE 11).

This table is to show the revenue account of roads which are leased to other companies, but which maintain a separate organization for the purpose of distribution of rentals received.

The instructions given regarding the income account of operating roads, page 10, will also apply to this.

EARNINGS FROM OPERATION (PAGE 12).

This statement should show the actual amount of earnings from the operation of the road during the year, for the respective items. The fact that any part of such earnings have not, at the time of making the report, passed into the treasurer's hands, should not preclude them from being stated here.

It will be observed that this page is arranged to show what deductions are made from the gross receipts before stating the actual earnings from operations which pass to the "*Income account*," page 10. The items of deductions called for are intended to be such moneys as in fact belong to shippers or passengers, and not to the reporting carrier, but which are temporarily in the carrier's hands.

Commissions are considered an expense and should not be deducted here. Under "*Freight, other repayments*," cases of refund, like those made at Boston, Portland, etc., for the purpose of equalizing rates upon export traffic with the rates at other cities, should be shown; large amounts of "*Deductions, account of repayment*," etc., should be explained. The amounts from which deductions are to be made should be entered in the first column, and the net amounts, after deductions are subtracted, are to be shown in the third column; items from which no deductions are made are also to be stated in the third column.

The items from which earnings are derived, under the respective headings of "*Passenger*" and "*Freight*," indicate what should be stated for each, with the possible exception of "*Stock-yards*" and "*Elevators*." For these items the earnings on this page are only to be shown when directly connected with the operation of the road; also under "*Other earnings from operation*," the earnings from "*Telegraph*" and from "*Rentals of buildings, tracks, yards, and terminals*," are only to be stated when directly connected with the operation of the road. If revenue is received from any of the items mentioned, through a tenant or otherwise, not directly connected with the operation of the road, such revenue should be entered under "*Miscellaneous income*," page 14.

BONDS OWNED (PAGE 13).

State the names of *all* bonds owned, whether yielding an income from interest or not, and the amount held of same. For the interest-paying bonds give the amount of interest or income received during the year. The amount of income here shown should be carried to "*Income Account*," page 10, after deducting the expenses, if any, attending the same.

STOCKS OWNED—MISCELLANEOUS INCOME (PAGE 14).

State the name of *all* stocks owned, whether yielding an income from dividends or not, and the par value of same. For the dividend-paying stocks, give the amount of dividends or income received from same during the year. The amount of income here shown should be carried to "*Income account*," page 10, after deducting the expenses, if any, attending the same.

MISCELLANEOUS INCOME.

See under "*Income account*," page 10, for a description of this account. Under "*Less expenses*," give the amount of expenses that may have been incurred in securing such revenue.

OPERATING EXPENSES (PAGE 15).

The operating expenses are to be stated under four general headings, viz: *Maintenance of way and structures, Maintenance of equipment, Conducting transportation, and General expenses.*

The amounts of the separate items given under each of the above headings are to be apportioned as between freight and passenger traffic. All expenses which are naturally chargeable to either freight or passenger traffic should be entered in their respective columns; expenses which are not naturally chargeable to either traffic should be apportioned on a mileage basis, making the division as between freight and passenger traffic in the proportion which the freight and passenger train mileage bears to the total mileage of trains earning revenue. This computation should be made from the data furnished under "*Train mileage*," page 24.

No attempt is made at this time to prescribe a classification in detail for all of the expenses belonging to the various items called for in this table. It is considered that to allow the roads to continue their established methods in this respect for the first report will not greatly disturb the comparative value of the data furnished. Attention is, however, called to the "*Classification of operating expenses*," which was agreed upon by a convention of State Commissioners at Saratoga, June 10, 1879, and which has been quite generally adopted in actual use. It is assumed that the Saratoga classification is in the hands of all accounting officers; if not, it is easily procurable. The headings of accounts in the present form do not differ materially from those which were then recommended, except in order of arrangement and in certain matters of detail which explain themselves. The items are here arranged so that the expenses of locomotive service, train service, station service, etc., can be at once

obtained by combination; while the items under the title "motive power" as now used on many lines, but not retained in this form, can be easily separated from the headings "*Maintenance of equipment*" and "*Conducting transportation*," to which they are here distributed.

The terms employed are intended to have the same meaning as in the nomenclature used in the Saratoga classification, so far as correspondence exists; and reference is made to that manual for detailed instructions. The apportionment between "*Freight*" or "*Passenger*" expenses is also to be governed by the principles there laid down, so far as explicit instructions are given in that manual. For example, the repairs of freight and passenger locomotives are separable upon the principles there stated; mileage of passenger cars and mileage of freight cars are in two accounts in the Saratoga manual, while in the present form the single item is divisible between the two columns, etc.

"*Loss and damage*" and "*Injuries to persons*" should be apportioned to the train which occasioned the outlay, freight or passenger, as the fact was.

Mixed trains will continue to be treated for the present as one-fourth passenger and three-fourths freight.

The item "*Switching charges, balance*," refers to payments made at junction and other points where the yard or side-track service is hired at a daily, monthly, or yearly compensation, and to all cases where switching, which the reporting carrier would itself naturally do, is paid for to some other party upon any agreed basis of compensation. Switching upon terminal or junction roads, or by bridge companies, where a given sum per car is charged in the way-bill, and ultimately returned to the company performing the service, is to be treated as other back charges are treated and deducted in settlement with the company in question, and need not enter into the account of earnings or expenses at all. Earnings from switching charges of every character are provided for on page 13.

COMMISSIONS.

The expense to be given under this head is the total amount paid, in the form of commissions, for services in respect to either freight or passenger business; the account is to be divided between those branches of traffic according to the fact; it should include all moneys paid, either to agents of other companies, or to other parties, whose compensation is measured by a percentage upon business obtained.

EXPENSE OF FAST FREIGHT LINES.

State the amount of expense incurred from membership of fast freight line or dispatch organizations, including the carrier's proportion of all salaries, rents, etc.

EXPENSE OF TRAFFIC ASSOCIATIONS.

State the amount of expense incurred from membership of traffic associations of all descriptions; apportion between passenger and freight.

TAXES.

Taxes are not to be stated under "*Operating expenses*," but are to be deducted from Income as provided for on page 10.

RENTALS PAID (PAGE 17).

State the amounts of rentals paid for leased roads, and the manner of such payments, as indicated by the blank; also the amounts of rentals paid for other property, describing same.

GENERAL BALANCE-SHEET (PAGE 18).

The items called for on this page are believed to be self-explanatory. Many blank lines are left for the purpose of enabling the account for the present year to be adapted to the varying circumstances of different companies and their existing methods of book-keeping.

FINANCIAL OPERATIONS FOR THE YEAR (PAGE 19).

This page is intended to present a concise statement of all the financial transactions of the reporting company for the year. The various amounts are to be taken from pages giving the detail of the respective accounts to which reference has been already made, so far as they go. Other amounts are to be supplied according to the actual

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facts concerning the matters inquired for, and space is left for the addition of other items, as necessary. Each side should be added and the totals shown, which of course should balance.

It is expected that returns for subsequent years will exhibit this statement in a comparative form.

SECURITY FOR FUNDED DEBT (PAGE 22).

This table is intended to show what property is mortgaged for the payment of the "*Funded debt*," page 6. The statement should be concise, and should show all securities given for every class of bond or secured obligation outstanding against the company.

EMPLOYÉES AND SALARIES (PAGE 23).

This table calls for the number of each class of employées, and the rate of pay for each class. For the "*General officers*" only the aggregate yearly compensation is to be given; for all other employées the average daily compensation is to be stated.

PASSENGER, FREIGHT, AND TRAIN MILEAGE (PAGE 24.)

The process of computation for obtaining the various results required by this page is suggested by the different questions. The division of "*Operating expenses*" between freight and passenger traffic, as per pages 15 and 16, together with the ton and passenger mileage, give the basis for computing the "*Cost of carrying one ton one mile*," and "*Cost of carrying each passenger one mile*." The division between freight and passenger, of "*Miles run by mixed trains*," should be computed on the basis of 75 per cent. to freight and 25 per cent. to passenger. "*Miles run by switching trains*" may be given according to the method heretofore in use, or such other method as shall be considered most accurate; state upon the opposite page the process pursued in ascertaining mileage of switching trains.

FREIGHT-TRAFFIC MOVEMENT (PAGE 25).

This page calls for a statement of the total tonnage carried by each road of the various commodities mentioned. It will be observed that the blank calls for the names of any important commodities which are carried by the roads and which are not specifically provided for in the blank. The object of the first column is to enable the Commission to obtain the total movement throughout the country of the commodities named. Each carrier should report in this column the tonnage of all traffic which originates at any and every point on its line. All traffic which is received from rail or water connections directly, whether through elevators or other methods of transfer, and the initial movement of which has been on the line of other carriers, should be given in the second column. Each carrier supplying the data called for by this table should adopt such methods as will prevent the same traffic being reported as originating on more than one line. The first column is intended to show only the initial movement of the traffic.

The percentage should be computed to show what proportion the total tonnage of each commodity bears to the total tonnage of all commodities carried.

DESCRIPTION OF EQUIPMENT (PAGE 26).

This page calls for a statement of the equipment owned or leased by the company making the report. Under "*Cars leased*" all equipment should be shown which is considered as owned by equipment companies, car trusts, etc., in use by the reporting company. It is expected that sums paid toward the purchase of equipment upon such contracts will appear in the balance-sheet as a separate item, under "*Other assets*."

MILEAGE OF ROADS OPERATED—RENEWAL OF RAILS AND TIES (PAGE 27).

Give actual length of road as single track, and add double, treble, or quadruple tracks, as called for. The heading of "*Other ownership*" calls for mileage of proprietary roads, controlled by ownership of stock, etc.

In case of sidings and yards owned jointly with some other road, include the entire mileage upon the table, and state on the opposite page the number of miles so owned, naming the company with which the joint ownership exists and the proportion owned by each. In case of spur tracks operated, which are owned by outside parties, include the entire mileage upon the table, and state on the opposite page the number of miles so owned.

Under "*Mileage of line by States or Territories*" give name of each State and Territory in which any part of the operated road is situated; and extend the proper mileage figures through the table, on the basis of the actual length of single track only, in each State and Territory.

CONSUMPTION OF FUEL BY LOCOMOTIVES—ACCIDENTS (PAGE 28).

When stating the total tonnage of fuel consumed, the tonnage of wood is to be estimated as follows: Hard wood, one and one-half cords to be equivalent to one ton of coal; soft wood, two cords to be equivalent to one ton of coal.

In stating "*Average cost at distributing point,*" different points may be named if desired, giving the cost at each.

CHARACTERISTICS OF ROAD (PAGE 29).

The "*Alignment*" and "*Profile*" of each working division or separate branch of the road are to be given on this page. The general direction of the ascending and descending grades should be stated; other data required are to be given as indicated by the various headings.

APPENDIX H.

REPORT OF HENRY C. ADAMS, STATISTICIAN,

PRELIMINARY TO A REPORT TO THE INTERSTATE COMMERCE COMMISSION ON THE SUBJECT OF RAILWAY STATISTICS IN THE UNITED STATES FOR THE YEAR ENDING JUNE 30, 1888.

It is eminently appropriate, as introductory to the first report from this branch of the Commission's service, to speak briefly of the importance of accurate and comprehensive statistics on railway affairs. For if it can be shown that the service rendered by common carriers may be thereby improved, the public will surely indorse statistical investigation; if it should be discovered that investments in railway property may proceed with greater confidence because of authentic and uniform accounts, investors will welcome the organization of a bureau for the publication of such accounts; or finally, should it appear that railway administration may become more efficient and economical as the result of extended study and painstaking comparison, they upon whose shoulders rests the responsibility of administration must feel an interest in the success of such study. It follows, then, if the facts assumed can be made clear, that the public, investors, and conservative railway managements will gladly render such assistance as lies in their power to the success of the enterprise now set on foot. And surely when one considers the prodigious task of bringing the facts pertaining to railway operation into systematic form, so that their meaning will stand clearly on the surface, he will recognize how essential is the willing co-operation of all who have it in their power to render assistance. It is then pertinent to inquire at the outset respecting the importance of railway statistics.

The importance of statistics on railway matters may be the most clearly presented through a discussion of three definite questions:

First. How do they stand related to problems of public economy?

Second. What bearing do they have upon technical and scientific questions of railway equipment and railway management?

Third. What assistance may be rendered by them in the solution of that vexed question which Congress has placed to so large an extent in the hands of the Interstate Commerce Commission?

I.—RELATION OF RAILWAY STATISTICS TO QUESTIONS OF PUBLIC ECONOMY.

It is the aim of statistics to draw a true picture of a given set of facts for a definite period of time, by presenting those facts in detail according to some accepted theory of classification. Nothing is to be set aside because it appears of little moment, nothing is to be distorted because it does not conform to some preconceived idea; but permitting

each and every fact to stand on its own merits, all are to be so grouped and massed as to disclose what is true of the subject studied. Railway statistics form no exception to this general statement. Their only purpose is to draw a true picture of the existing railway system.

Later in this report a few words are said respecting the condition of railway statistics in the United States, but for the present it is sufficient to remark that no one has yet attempted, or at least no one has yet succeeded in making a satisfactory exhibit of the American railway system. Some facts may be easily learned, others of equal importance have as yet found for themselves no avenue of expression. This is certainly remarkable when one appreciates the magnitude of the railway industry. The length of line on June 30, 1888, was 152,000 miles, and the property based upon it did not fall far short of \$9,000,000,000. The gross earnings on this property for the year preceding was nearly \$930,000,000. Passenger mileage reached the enormous figure of ten and one-half billions, while ton-mileage of freight exceeded sixty billions. The business of traffic by rail expends in operations \$600,000,000 annually. An industry of such magnitude must of its own merit arrest public attention, but when it is recognized that every other industry in the land is dependent for its highest success upon the way in which the railways are conducted, the absence of trustworthy and comprehensive statistics on railway affairs is indeed occasion for surprise.

But it is not alone the magnitude of this business which gives emphasis to the public importance of railway statistics; the fact that a new industrial power has been introduced into modern life by the development of railways is of equal significance. It is no exaggeration to say that through this power society has been revolutionized. The business life of men at the present day bears less likeness to that of 1825 than does the life of the latter date bear to that of the age of Elizabeth. The explanation of this rapid change is simple. In the earlier period time and distance localized business; in these days time and distance have been overcome by the application of steam to inland commerce, and as a consequence business intercourse knows no boundaries.

It is thus a new power with which the statistics of railways deals, and a power that has already created a new society. And it is a significant fact that most of the public questions now claiming the attention of thinking men are shown by analysis to spring from the efforts of society to adjust itself to new methods in commerce and in trade. It is a narrow conception to regard the railway problem as an isolated problem. The social and political influence of railways is far-reaching, and every ray of light which statistical investigation can throw upon the workings of the new power which railways have brought into society must be of direct advantage in the solution of any public problem, political or social.

The far-reaching influence of railways in the domain of politics is well presented by a quotation from a well-known writer* on railways, in which he shows that even fundamental questions of government can not be determined without taking into the account this new industrial force:

Meanwhile the influence of this railroad power upon the politics of America and the political theories at the base of party organizations has been very strongly defined and little considered. Paradoxical as it sounds, it has actually made that which was mistaken, right, and that which was dangerous, safe. The year 1830 was a year

* Chapters in Erie and Other Essays. Charles Francis Adams,

of political revolution in America; the friends of a strong central government went out of power, and a party hostile in theory to all concentration of governmental functions came in. It can now hardly admit of a doubt that both parties to that bitter and memorable struggle were right, and it is equally true that both were wrong. Both, however, were made right or wrong by one element which entered into the practical solution of the questions agitated with decisive consequences—an element wholly unanticipated by either side—the element of improved locomotion.

It may now with safety be premised that a strong central government was a political necessity for the United States of a time anterior to 1830; that in this respect Hamilton was right and Jefferson was wrong. It may also, with equal safety, be asserted that a strong central government constitutes a continually increasing political danger for the United States of the period subsequent to 1830; that the school of Hamilton is wrong, and the school of Jefferson is right. An equally thoughtful and observant man would thus have been a Hamiltonian up to 1830, and a Jeffersonian subsequent to that date.

The inventions of Robert Fulton and George Stephenson settled, in the minds of all thinking men, those great questions of internal policy for the United States Government which were so fiercely contested in the first cabinet of Washington; and the way in which they settled them was by altering every condition of the problem. The destinies of nations are, perhaps, very much more frequently decided in the workshops of mechanics than in the councils of princes.

This quotation is not inserted because of the politics it contains, but as the shortest method of impressing the fact that improved methods of locomotion exert a decided influence even upon the political thought of the day. Whatever one may believe as to centralized government for the United States, his position must be defended by arguments that fit the times. The discussions of early statesmen can not be easily adjusted to modern conditions.

The influence of railways in the domain of social life is no less significant than in political affairs. The movement of population in modern times finds no parallel in the history of the past; the overcrowding of commercial and manufacturing centers has forced the question of municipal administration into prominence; the changes observed in methods of farming threaten in this country the development of an agrarian problem; the tendency towards uniformity of price in the staples of life, while it narrows the margin of speculation, yet increases the influence of the speculator. These results, as well as others that might be mentioned, are the inevitable consequence of the adoption of new methods of commerce.

But it does not lie in the province of this preliminary report to enter very far into a consideration of such questions. Sufficient has been said to show that the importance of railway statistics is not confined within the narrow limits of technical interests. This thought may, however, be impressed more strongly by one or two illustrations of the bearing of railway statistics to questions of public economy.

The constant recurrence of abnormal business activity, followed by business prostration, is regarded by all as evidence of maladjustment in business relations. Many theories have been put forth to explain this lack of stability in commercial affairs, but as yet none has succeeded in gaining for itself common acceptance. Probably there is no one cause adequate to explain so prodigious a fact. But on one point there seems to be some degree of harmonious opinion, and that is that a close connection exists between the building of railroads and the manner of their administrative control on the one hand, and commercial depression and business prostration on the other. Indeed, so firmly has this conviction lodged itself in the minds of men that in some States of the Union it has been found necessary to provide by law for the exercise of public control over the investment of capital in new railway ventures, by establishing a board of commissioners, with-

out whose approval no new line of railway may be constructed under general laws.

Accepting for the moment the premises upon which such legislation rests, it must be evident that it can only be successful when directed in the light of detailed information on all matters pertaining to the subject. And in the investigation of no single subject will so many pertinent facts be disclosed as in the statistical investigation of the railway system itself. Here surely is a problem of public economy that depends directly upon railway statistics.

Or, again, it is a matter of public interest that all parts of a great country be evenly developed. And since railways are the most important single instrument in the development of industrial life, it follows that a wise national policy will endeavor to attain an equitable distribution of railway facilities. This does not mean that railway mileage ought, in a sound system, to be in proportion to territory, or that it should be distributed on a per capita basis; but that, taking into account the peculiar industry in which the people of the various sections are engaged, equivalent facilities of transportation should be provided.

Under no other conditions can there arise that competitive intercourse between various industries distributed in various parts of a country by which equivalent returns may be gained by labor and capital; and until the state of affairs thus suggested is in some way realized, one may not expect the disappearance of sectional prejudice in the discussion of even trivial public questions. The even development of national progress, and its importance in the attainment of the most perfect national life, is a subject upon which the American mind has not yet seriously dwelt, but it is believed that this people has come to a point in their progress in which it can no longer be safely disregarded. When, however, this subject comes to engage the attention of publicists and statesmen the need of accurate information will at once be felt, and from no other source can such important information be gained as from statistical investigation into the facts and movements of internal commerce.

II.—RELATION OF RAILWAY STATISTICS TO TECHNICAL AND SCIENTIFIC QUESTIONS OF RAILWAY EQUIPMENT AND MANAGEMENT.

This heading has been inserted rather for the sake of making the argument for comprehensive statistics complete, than because it can receive at this time adequate discussion. There are a few railway companies in the United States which maintain an extensive system of statistical accounts with regard to what may be termed the physical basis of the railway industry. Matters pertaining to motive power, economy of machinery, the "life" of the various items that go to make up equipment and structure, are all entered in books and duly accounted for. It goes without saying that such roads are the first to adopt improved methods, and from men employed about the shops of such roads the larger part of new inventions are to be expected. But unfortunately many railway companies in this country do not attempt anything of the nature of statistical book-keeping sufficiently extended to lead to successful results. This may doubtless be easily explained, but whatever the explanation, it is none the less unfortunate. Statistics of the sort now considered must be comprehensive if they are to attain their highest usefulness, for there are many questions that can not be decided unless the facts respecting them are returned for all the conditions under which those facts appear. It is hoped, by means of this department

which the Interstate Commerce Commission has organized, that the difficulties here suggested may be overcome.

With regard to the class of questions to be made the subject of such statistical investigation it is sufficient to say that whatever brings into view the relative efficiency or economy of different theories of management or different sorts of equipment may very properly be included. There are also problems related to accounting that can not be determined except on the basis of comprehensive comparison. The scientific importance of statistics for the solution of such problems will be appreciated most by those who know the most of the details of railway affairs.

III.—RELATION OF RAILWAY STATISTICS TO THE WORK INTRUSTED TO THE INTERSTATE COMMERCE COMMISSION.

In the first annual report of the Interstate Commerce Commission will be found a statement of the reasons why Congress deemed it necessary to pass a law for the regulation of internal commerce. These reasons need not now be presented a second time. The creation of a Federal Commission clothed with certain definite powers was the method chosen by Congress, after long and earnest deliberation, for attempting the solution of what is commonly known as the railway problem. The question in hand then reduces itself to this: Of what assistance are railway statistics in the solution of this problem?

The connection thus suggested will be the most clearly apprehended by looking at the matter from a general point of view and afterwards in the light of the peculiar task imposed by Congress upon the Interstate Commerce Commission.

The controversy which has now for some years been going on is in reality a controversy in which three separate interests are represented. The first is that of the public, for whose convenience facilities of transportation are provided. The claim which the public makes is that the service of the roads should be as perfect as possible; that rates should be not only just in themselves, but equitable as between competing centers and competing persons; and lastly, that rates should be stable. The investor is interested in safe investments, but it is not necessary to keep this interest in mind as separate from the others mentioned. Whatever is conducive to stable administration in railway affairs must in the long run be advantageous to the *bona fide* investor in this species of property. For the present purpose, therefore, if not indeed for all purposes, the interest of the investor and the public may be regarded as identical.

The other party to the controversy is the railway manager, charged with the operation of this vast property. He must secure and retain the legitimate quota of business for his road, pay running expenses and fixed charges, and hold continually in view the accumulation of dividends; and this, it should be remembered, must be done in the presence of fierce competition between the various managements of the several lines that bid for the same traffic. The result is familiar to those conversant with railway affairs. In the heat of competitive warfare between these lines it frequently happens that stockholders suffer loss and the just claims of the public are disregarded. It is of course not intended to admit that there is any fundamental divergence of interest between railways and the public. In the long run their interests are manifestly the same; but when it comes to the actual dealings of the railways with the public, the fundamental interest is often lost sight of in the struggle for immediate advantage.

The public knows nothing of the intricacies of railway management, and it is seemingly out of the power of the railway manager to give much attention to the interests of the public. In this manner bad feeling is engendered between the parties, and what should be a question of inquiry has come to be a question of controversy.

Of what assistance can the statistics of railways be in the settlement of such a controversy? The clearest answer to this question will be a few words respecting public controversies in general. A most fruitful source of that sort of public dispute which verges on social agitation is ignorance on the part of each disputant of what the other is talking about; and it may be assumed that in the majority of cases the feeling of hostility engendered by such disputation will disappear as soon as discussion proceeds upon the basis of the same set of facts. Nor is it too much to say that, until such a condition for discussion can be created, the agitator will continue to render the just settlement of any controversy impossible.

These remarks are especially pertinent to the public controversy over the proper management of the railways. As a candid man reads the claims first on one side and then on the other he is constrained to admit that for the most part the conclusion of each disputant follows logically from the premises assumed. The mistakes which men make do not so frequently lie in their reasoning as in the assumptions upon which that reasoning rests. In all probability it was a recognition of this truth which, when stated independently of any particular question, must be admitted by all, that led Congress to insert in the law for regulating internal commerce the twentieth section, calling for statistics. As ordinarily stated, the purpose of this section was to provide for the collection of data for the guidance of further legislation; but it is more than likely that, if the facts pertaining to railroads be properly collected, massed and interpreted, the demand for a very considerable increase of legislation which would otherwise be necessary will disappear. Manifestly it is to the interest of conservative railroad managers to render all possible assistance to that part of the Commission's service charged with the collecting of railway statistics.

But there is another way in which reliable information on railway matters will tend to the solution of the problem in hand, so far, at least, as the railways and the public are concerned. Most of modern social controversies turn upon what men believe to be just and right, and this one now under discussion is no exception. Tariff schedules, it is claimed, should be made in the spirit of fairness. Rates charged should be just. For years this has been urged by those who have spoken for the public, and of late railroad lawyers have urged the same before the courts. But what is a fair rate? Now, it is not intended to point out the necessity of reliable data for the making of tariff schedules. The thought that seeks expression does not lie so plainly on the surface. It is not enough for the settlement of a question of public controversy that the rules adopted for the guidance of business should of themselves be just; some way must also be provided of showing that they are just. For until this is done unreasonable complaints will not cease, and in consequence reasonable complaints can not receive candid consideration on the part of those who have it in their power to institute reforms.

If it be true, as is so frequently urged, that the railway system is now managed with a proper regard to the rights of the public, its managers are all men most directly interested in an accurate and complete exhibit of that system. It is as yet too soon to say how this branch of the serv-

ice of the Interstate Commerce Commission will be received after its purposes are better understood; but it is sincerely hoped that this office may be relieved in the future from the difficulties arising from inadequate returns.

But, passing from such general considerations, what is the significance of railway statistics in the light of the peculiar task imposed by Congress on the Interstate Commerce Commission? To perceive this it will be necessary to recognize the principle upon which Congress relied for solving the railway problem when it established the Commission. Without going into particulars, it seems to have been admitted that the ordinary rules of common law were not adequate to the control of commercial affairs under modern conditions.

This was clearly presented in the first report of the Commission in the following language :

The common law still remained operative, but there were many reasons why it was inadequate for the purposes of complete regulation. One very obvious reason was that the new method of land transportation was wholly unknown to the common law, and was so different from those under which common-law rules had grown up that doubts and differences of opinion as to the extent to which those rules could be made applicable were inevitable. A highway of which the ownership is in private citizens or corporations who permit no other vehicles but their own to run upon it bears obviously but faint resemblance to the common highway upon which every man may walk or ride or drive his wagon or his carriage. If we undertake to apply to the one the rules which have grown up in regulation of the others, there must necessarily be a considerable period in which the state of the law will, in many important particulars, be uncertain, and while that continues to be the case, those who have the power to act and who must necessarily act by rule and according to some established system will for all practical purposes make the law, because the rule and the system will be of their establishment.

Such, to a considerable extent, has been the fact regarding the business of transporting persons and property by rail.

Those who have controlled the railroads have not only made rules for the government of their own corporate affairs, but very largely also they have determined at pleasure what should be the terms of their contract relations with others, and others have acquiesced, though oftentimes unwillingly, because they could not with confidence affirm that the law would not compel it and a test of the question would be difficult and expensive. The carriers of the country were thus enabled to determine in great measure what rules should govern the transportation of persons and property; rules which intimately concerned the commercial, industrial, and social life of the people.

It thus appears that the common law was inadequate for controlling this new power by which industrial relations had been revolutionized. It is equally true that the experience of England and of the American States, so far as they tried by means of statute law to prescribe traffic schedules and rules for administration, had not been satisfactory. Meantime the railroads were largely free from all control or subject to rules of their own making. Manifestly the one thing needed was to bring to bear upon the railway industry those principles of equity and justice which characterize the common law by framing for this new business new rules in harmony with those principles.

Such was the purpose of Congress in creating a commission for the control of interstate commerce. The Commission was designed to proceed in a quasi-judicial capacity, hearing complaints and rendering opinions, and by means of its opinions rendered in specific cases, to build up a body of rules to which the railway system of the country must conform. Now the importance of complete and comprehensive data for the satisfactory performance of such a task is manifest. A court of equity can only proceed in safety when it has at hand all the facts in the case, especially when each and every case decided concerns the commercial, industrial and social life of the people. But it is not

for the statement of so manifest a truism that these remarks have been made, but rather to call attention to the fact that the plan upon which Congress has chosen to rely for the solution of the railroad problem can not succeed except in the presence of an enlightened public opinion. The Commission, by means of opinions rendered in specific cases, is building up a body of rules to which railway administration must conform, but if this body of principles is to work its best results it must rest on an intelligent appreciation of what the Commission is doing. This means that the general facts pertaining to transportation must be presented in such a manner as to be understood by men of ordinary intelligence. This is indeed a difficult task, but it is one that, in the presence of public curiosity on all railway matters, may be done. But the point to be remembered is this: The real solution of any great social problem is the creation of an intelligent public opinion regarding it. It is this thought that suggests the most important relation which statistical inquiry bears to the task imposed upon the Interstate Commerce Commission.

RAILWAY STATISTICS IN THE UNITED STATES.

It was intended that this preliminary report should contain in detail a statement of the legal requirements, Federal and State, respecting railway accounts and reports, but the time allotted for its preparation has not been adequate to formulate such a statement. It will, however, serve the present purpose to know that the absence of statistical information on railway matters is not chargeable to any neglect on the part of those who make the laws. Three bureaus are now in existence, established by federal law, among whose duties is the collection and publication of facts relating to internal commerce. Twenty-five States have created railway commissions or bureaus whose duties conform to those usually assigned to such commissions, and in all cases power is granted to inquire into the affairs of the roads lying within their territorial jurisdiction. In three States there are taxing commissions whose prerogatives with respect to railway accounts are of the same sort, though not as extended as those of railway commissions, while in other States other officials, as in Pennsylvania the secretary of internal affairs, are charged with similar duties.

It does not then seem to be the intention of the various legislative bodies that corporate management of internal commerce should be hid from public scrutiny. Any shortcoming in this respect must be due either to disregard of law on the part of the corporations or to some inability inherent in the situation of those who undertake to carry the law into effect, or to the fact that the laws making it the duty of bureaus to collect statistics have not in all cases conferred powers adequate to perform the duties assigned.

So far as the railways are concerned, the efforts of this office to gather information have, for the most part, been met in a spirit of courtesy and co-operation; but at the same time it must be said that a few railway officials have evinced a disregard of letters and circulars sent which must be corrected in the future if the statistical branch of the Commission's service is to attain marked success.

The statistical work of many of the State commissions is, within the domain in which they may legally act, of a high order. But the incumbents of these offices would be the first to recognize the limitations imposed upon them by virtue of the fact that they are State officials.

The enactment by Congress of the law to regulate commerce has for the first time in the course of legislation in this country made provision for a bureau of railway statistics with the right of demanding information from the railroads, and at the same time empowered to press its investigations irrespective of State boundaries. And when one recognizes how the larger part of all traffic is interstate, he must perceive that the enactment of the law referred to permits a new departure for investigation into the business of inland transportation. It thus appears that in matters of investigation, as well as in other important particulars, the law creating the Interstate Commerce Commission must be regarded as complementary to the various State laws creating State commissions; and it is sincerely hoped that unity of aim in this respect may lead to unity of action so far as unity of action is conducive to the general purpose all have in view.

Returning now to the third point mentioned above as explaining the unsatisfactory condition of railway statistics, it need only be said that Congress has conferred ample authority upon the Interstate Commerce Commission for obtaining all necessary information from the common carriers. In many respects this law marked a new departure in the solution of the railway problem, but in no one particular is this more clearly seen than in the fact thus brought into view.

But to provide by law for the collection of statistical information is merely a first step toward the accomplishment of the desired end; many obstacles, some of which may be remedied by law, while others lie outside the influence of law, confront him who undertakes the task. Thus the first difficulty encountered lies in the fact that there are about as many systems of accounts in the United States as there are railway managements. This probably explains the apparently unnecessary misunderstanding of plain questions put to their accounting departments. The State commissions have for the most part evaded this difficulty by giving in detail the returns of each road exactly as each road submitted them. This, however, is an evasion and not a solution. It is not so much the purpose of statistics to furnish detailed information with regard to particular classes of facts as to mass those details in such a manner that their meaning as a whole may be readily perceived. Statistics do not reach their highest usefulness until by classification they lead to interpretation. But classification is impossible until some degree of uniformity is brought about in the manner in which the railroads keep their accounts.

The importance of some degree of uniformity in accounts was recognized by Congress when it passed the law to regulate commerce. In that section of the law on which the statistical work of the Commission rests, it is provided that "the said Commission may, within its discretion, for the purpose of enabling it the better to carry out the purposes of this act, prescribe (if in the opinion of the Commission it is practicable to prescribe such uniformity and methods of keeping accounts) a period of time within which all common carriers subject to the provisions of this act shall have, as near as may be, a uniform system of accounts, and the manner in which such accounts shall be kept."

What steps the Commission may wisely take under the discretion granted by this clause of the act it is not undertaken here to say. It may, however, be suggested that were it possible to enlist co-operation of the various State commissions, this object in which all are equally interested might be easily accomplished. The first step to be taken in this direction is the adoption of a fiscal year that shall be uniform for

all the railways of the country. Other measures for perfecting uniform accounts might then be more easily taken.

Quite a number of railways have of their own accord introduced changes into their methods of accounting, so as to conform to the blanks issued by this office. It is gratifying, for example, to read a sentence like the following, which introduces the annual report of the Central Railroad and Banking Company of Georgia to its stockholders:

In order to make the annual reports to the stockholders conform to those required by the Interstate Commerce Commission and to the fiscal year now being generally adopted by railroad companies in the United States, and also to allow the preparation of the report before the beginning of the busy season in the fall, your board of directors have changed the date of closing the fiscal year of the company from August 31 to June 30, of each year.

There is, however, a difficulty more fundamental than the one just referred to. One frequently hears the expression "railway system of the United States," but the truth is that no such thing as a railway system exists in the United States, if by that expression is meant some fairly uniform set of relations between the various railway corporations that have business dealings with each other. This fact, when viewed in the light of the history of railway consolidation as it has proceeded in this country, is no occasion for surprise, but it is none the less source of great perplexity to him who undertakes to present railway operations in systematic form. The facts which have presented themselves in this office during the last three months have with great difficulty been reduced to systematic form. Thus it is not uncommon for an operating company to lease part of its own roadway to a line which it itself leases, and keep no separate account of earnings of such line, and in some instances sub-leasing is carried yet further.

In many cases a parent company gains control of a subsidiary line by purchase of a majority of stock, which, as soon as purchased, is lost to all accountings. A bank, or a warehouse, or a terminal company, or a coal company, or a lumber company, may extend operations by virtue of purchase or guaranties until the original business comes to be the subsidiary one, while auditors declare their inability to separate accounts. The extension of proprietary companies, some organized, as it is claimed, for purposes of better administration, others to limit financial responsibility of an established company for new ventures, and others, it is confidently believed, for no other purpose than to act as a center for stock speculation, introduces further complexity into accounts of internal commerce. Independent bridge companies, and depot companies also, whose property must in fairness be regarded as part of the railway system, since their earnings are paid out of earnings of transportation, suggest another difficulty with which the statistician meets. And if to all this is added the complication introduced by the existence of fast-freight lines, express companies, and sleeping-car and drawing-room car companies, some idea is obtained of the obstacles encountered in any attempt to present the facts of inland commerce according to some systematic plan which shall at the same time be comprehensive.

It is not in the spirit of criticism that the confusion existing in railway adjustments is brought to notice, although it is quite possible in some instances that intricate arrangements are deliberately chosen by railway managers who do not wish their operations to be understood by stockholders or by the public. But abandoning this thought and admitting that the general absence of uniformity in railway affairs in the United States is the inevitable result of the development of a new

business in a rapidly growing country, the facts thus set forth indicate in a clear manner not only the magnitude but the nature of the work imposed on this branch of the Commission's service. This is the point to be noticed at the present time.

By the twentieth section of the act creating the Interstate Commerce Commission it is prescribed that the annual reports required of the railroads—

Shall show in detail the amount of capital stock issued, the amounts paid therefor, and the manner of payment for the same; the dividends paid, the surplus fund, if any, and the number of stockholders; the funded and floating debts and the interest paid thereon; the cost and value of the carrier's property, franchises and equipment; the number of employes and the salaries paid each class; the amounts expended for improvements each year, how expended, and the character of such improvements; the earnings and receipts from each branch of business and from all sources; the operating and other expenses; the balances of profit and loss; and a complete exhibit of the financial operations of the carrier each year, including an annual balance-sheet.

It would, perhaps, be unwarranted from the experience of this office during the short period of its existence to say that facts respecting any of the items mentioned by the law can not be obtained; but it is highly probable that on one or two points it will be necessary to rest satisfied with information that is not absolutely conclusive. Is it, for example, possible to discover "the cost and value of the carrier's property, franchises, and equipment"? The papers giving evidence may have been destroyed, or, as more frequently occurs, in the fierce struggle of rival management for control of territory by the adoption of small lines already built, the records of the original companies have been lost, the consolidated companies caring nothing for records, except such as prove their equal right to the property absorbed. But of greater significance is the fact that, in many instances, the books of railway corporations do not go beyond settlements with construction companies, that is to say, the investigation demanded by Congress is pushed back into the realm of vest-pocket book-keeping and a conveniently failing memory.

Satisfactory and conclusive information on the cost of railways in the United States can not be obtained. But it may always be assumed in interpreting a law that the law-makers did not design to impose any tasks which from the nature of the case are impossible, and when the text of a law seems to require duties too difficult, it is right to ask respecting the purposes of the legislature, so as to conform to the intention of the act if not to its letter. And in this particular instance, as also in case of other lines of investigation required by the twentieth section of the act to regulate commerce, it was manifestly the desire of Congress to assure it a trustworthy estimate of the relation existing between the present worth of railroad property and its cost to those who are proprietors of it. It was felt that the estimate of social agitators on the one hand, and of men interested in the present status of the property on the other, might be far from the truth. It was also felt that no investigation which published conclusions only, without disclosing the methods by which those conclusions were obtained, could ever gain the confidence of the public or serve as the basis of further legislation. Under such circumstances the need of an estimate by competent authority, free from outside influences, and clothed with ample power for the investigation was recognized as imperative. Such without doubt was the purpose of Congress in demanding information respecting the "cost and value of the carrier's property, franchises, and equipment." This office therefore is placed under the legal obligation of making inquiry into the "cost and value" of railway property.

It does not seem appropriate to enter very far at this time into a discussion of the proper method for proceeding in such an investigation. The exact meaning to be given to the words "cost," "value," "construction," and "franchise" must be determined after the investigation is under way and not at the outset. But of one fact there can be no question. As preliminary to such an investigation the corporate history of railways in the United States must be written. The steps by which great corporations have arisen to their present power must be made clear. The process of consolidation and the contracts entered into to consummate consolidation must be laid bare. Every charter for the construction of new lines, every law on the authority of which action has been taken, every court decree respecting insolvent roads must be made to contribute all pertinent information. Indeed, the facts locked in the minds of railway presidents or corporation attorneys ought to be brought to light for the most perfect conclusions. On no other basis than the corporate history of the railways, thus comprehensive, can the task imposed by Congress be satisfactorily performed. And not only is such a study preliminary to a proper estimate of the relations existing between the cost of railway property and its present worth, but it is also essential to the highest means of the organization of railway statistics in general. It is indeed the foundation of all safe investigations.

Whether or not this office shall enter upon the investigation outlined above is for the Commission to determine. In European countries there would be no hesitation. Indeed, in the most of these the work here suggested has been already performed. In France, for example, there has been published, under the direction of the minister of public works, what may be termed a systematized index of the growth of the railway system, which takes notice not only of the physical characteristics of the lines, but of the laws, concessions, and decrees under which they were built. There is in this manner provided a foundation for statistical inquiry. As compared with this, the position of one who in the United States undertakes statistical investigation is perplexing in the extreme. For this reason, as well as for the intrinsic worth of such a record were it well performed, it seems that the Commission could well afford to sanction the work proposed.

EXPLANATION OF STATISTICAL TABLES AND PRESENTATION OF THEIR SUMMARIES.

In the text of the Commission's report* will be found a statement of action taken relative to the annual report from carriers required by the twentieth section of the act to regulate commerce. From that statement may be learned the nature and scope of the questions asked of the carriers, the care exercised in drafting the blank form sent them, and the general aim which directed the work throughout. Or should one desire more detailed information, he will find in Appendix G a reprint of the form in full and of the accompanying instructions, with the answers returned by the Northern Pacific Railroad Company. It does not then appear necessary to speak further on this phase of the subject, and we may turn at once to consider the use that has been made of such returns as the carriers have filed in this office.

* Page 58 and following.

Six tables have been prepared in connection with this report, summaries of which are incorporated below. They are as follows:

Table I.—Classification of railways and mileage for the year ending June 30, 1888.

Table II.—Amount of railway capital at the close of the year ending June 30, 1888.

Table III.—Earnings and income for the year ending June 30, 1888.

(a) Earnings from operation.

(b) Earnings of property owned but not operated.

Table IV.—General expenditure for the year ending June 30, 1888.

(a) Operating expenses.

(b) Fixed charges.

(c) Summary of operating expenses and fixed charges.

Table V.—Payments on railway capital during the year ending June 30, 1888.

Table VI.—Gross income accruing to railway corporations and application of same for the year ending June 30, 1888.

It requires but a glance at these headings to perceive that the purpose of the tables is to present in logical sequence a definite set of facts. In the first table, which is appended below, there is attempted a classification of railway corporations and a description of the legal relations in which they stand to each other. This is followed by a statement of the mileage operated, including trackage, and of the mileage owned by operating or by subsidiary companies. In this manner there is presented the legal basis and what may be termed the physical basis of internal commerce in the United States.

The second table is devoted to showing the amount of capital invested in the railway industry, counting as railway capital all forms of property which draw earnings from this business. Here will be found the amount of stock outstanding at the date of the report, all forms of funded debt for the security of which railway plant or railway income is mortgaged, and the floating capital necessary to keep fixed investments in a profitable state of activity. From this table there may be learned the amount invested in the business of inland traffic, or what may be termed the property basis of the railway industry.

The third table explains itself. It shows (a) earnings from operation, and (b) earnings from property owned but not directly operated. The most important item under this second heading is the income to lessors paid by lessees, the lessee usually being the operating corporation. But it also includes the income to operating corporations from stocks and bonds of other corporations owned, from sub-leases or grants of trackage rights, and from property incidentally profitable. It is thus seen that this table is intended to exhibit the total income to railway corporations, with the single exception of income which springs from the sale of securities or arising from the decrease of assets.

The fourth table shows general expenditure incidental to the operation of the railway industry. It follows the usual method of classification, assigning expenditures to operating expenses and fixed charges. This is called the usual method of classification, and it is such in all discussions on questions of rates or railway economy, but it is worthy of note that a few of the reports filed in this office include interest, rentals, and taxes in operating expenses, leaving practically nothing assignable to fixed charges. Possibly in certain cases there may be adequate reasons for thus uniting these two items, but it is certainly in the inter-

est of railway statistics as a whole that operating expenses and fixed charges be kept separate, and it is sincerely hoped that future reports from the carriers will conform to the plan here indicated. Under the summary with which this table concludes will be found certain deductions which, when compared with the deductions printed in Table III, are both interesting and instructive. These will receive attention when those tables are considered in detail.

The fifth table, which exhibits payments on railway capital, is the only one that brings into prominence the relations of the operating company to the individual owning the property. It shows the dividends on stock and the interest on bonds. The facts disclosed are most interesting when taken in connection with the second table, which shows the proportion of railway capital existing as stocks and bonds.

In the final table will be found an exhibit of the gross income to railway corporations and a statement of the manner in which that income is used. Its purpose is to show the financial operations of the roads. The importance of this table will be readily recognized, and consequently calls for no remark in this connection.

From this rapid survey one may learn the class of facts with which the forthcoming report proposes to deal, but for a complete understanding of those facts as well as for learning the lessons which they seem to teach, it will be necessary to review the several tables more in detail.

TABLE I.—CLASSIFICATION OF RAILWAYS AND MILEAGE FOR THE YEAR ENDING JUNE 30, 1888.

This is the only table presented which depends for its importance upon the completeness of its data, and since, on account of many obstructions incident to the organization of a new work, it was found impossible to secure prompt returns from all the roads in time for the present preliminary report, this office has made use of Poor's Manual of Railroads for 1888, and of the Engineering News Atlas of Railway Construction, so far as that was necessary, to supplement its own facts. It is intended to embrace in this table the names of all railway corporations in the United States, whether they represent operating roads or roads merged into a comprehensive operating system, provided they maintain a legal existence for purposes of accounting or for other reasons. It is observed that this number reaches the large figure of 1421. The list is published subject to revision and correction.

Some of the reports received at this office were in such bad shape, making such an incomplete and confused presentation of facts, that it was found necessary to exclude them from the tables. The total number of reports made use of at this time in compiling the statistical tables is 700; the reports filed cover the operations of 1,014 enumerated roads, representing a mileage of 120,000. And it should be distinctly noted that all the summaries and deductions presented at the present time are upon the basis of this mileage.

The use to be made of the first table, as also the information it gives, is shown by reproducing the headings of the columns it contains. These are as follows:

- (1) Name of carrier in full.
- (2) Abbreviated name of road.
- (3) Date of filing report.
- (4) Road, how operated.
- (5) Length of line operated.
- (6) Length of line owned.
- (7) Remarks.

In the first column of the table will be found a classified list of all the railways in the United States. The names given are intended to be the legal names of the corporations. If they are incorrect, it is due to error in the office where the reports of the carriers were made out. In this column all operating roads should appear in their alphabetical order, while the subsidiary roads are grouped under the road to which they are leased or by which they are otherwise controlled. It is not always easy to describe in a few words the relation that exists between a subsidiary road and the road in connection with which it is operated; the fourth column of the table is designed to show in a general way the manner in which operations are conducted. In case inaccuracies are found in any part of the table, the statistician would be obliged for prompt information thereof, in order that the lists may be revised for future use.

The third column, which gives the date at which carriers filed their reports in this office, was inserted partly as a matter of record. It is, however, significant from one point of view, for it shows what companies have not complied with the request of the Commission to send reports. It seemed best to publish this information, so that all who care to do so may learn, by glancing at the table, which corporations have interested themselves in this endeavor to create in the United States a bureau of railway statistics, and upon what corporations the responsibility of incompleteness in the returns for the present year must rest. In many instances a single return filed by an operating company shows results of operations upon several subsidiary roads, which have not as yet filed their proper financial report.

The total railway mileage of the United States on June 30, 1888, was 152,781, of which 2,312 miles were constructed during the six months preceding. It may be necessary on careful revisal to alter these figures in some slight degree, but, for all practical purposes, they may be accepted as substantially correct. A peculiar interest attaches to the distribution of railway mileage, and it is the purpose of the following summary to show the length of line existing in each of the States and Territories on June 30, 1888, and the length of line constructed during the eighteen months previous to that date. The figures pertaining to construction, it is proper to state, were taken in part from the *Atlas of Railway Construction*, published by the *Engineering News*. The summary that follows shows also what proportion of total mileage and of line constructed during the period mentioned may be found in the several States and Territories that together make up the Union, and apportions both mileage and construction to the States on the basis of square miles of territory.

Summary of railway mileage in the United States by States and Territories.

State or Territory.	Total mileage on June 30, 1888.	Proportion to total mileage.	Proportion to square mile of territory.	Line constructed between January 1, 1887, and January 1, 1888.	Line constructed between January 1, 1888, and June 30, 1888.	Proportion of new line constructed (18 months) to total mileage.
		<i>Per cent.</i>	<i>Per cent.</i>			<i>Per cent.</i>
Alabama	2,599.70	1.70	4.96	464.27	153.00	23.94
Arkansas	1,883.21	1.23	3.50	187.63	79.00	11.50
California	4,462.20	2.92	2.23	375.97	197.20	12.84
Colorado	3,016.52	1.97	2.90	863.74	3.00	28.73
Connecticut	1,009.93	.60	20.24	18.00	.....	1.78
Delaware	254.14	.17	12.40	.....	.....	.....
Florida	1,961.29	1.28	3.34	216.20	84.80	12.80
Georgia	3,987.21	2.61	6.78	244.80	250.00	12.41
Illinois	16,171.92	10.58	28.55	365.75	120.00	3.00
Indiana	5,971.58	3.91	16.43	83.91	10.00	1.57
Iowa	3,496.77	2.29	6.24	369.00	.....	10.55
Kansas	8,507.33	5.57	10.36	2,101.66	103.00	25.92
Kentucky	2,994.52	1.96	7.41	198.20	156.00	11.83
Louisiana	1,778.37	1.16	3.65	62.00	24.00	4.84
Maine	1,239.74	.81	3.75	19.27	.....	1.55
Maryland	1,351.60	.88	11.07	4.00	1.00	.37
Massachusetts	2,533.40	1.66	30.47	64.86	2.00	2.64
Michigan	5,100.13	3.34	8.66	783.25	88.00	17.08
Minnesota	8,473.29	5.54	10.16	122.36	26.50	1.76
Mississippi	723.67	.47	15.46	89.00	15.00	14.87
Missouri	7,981.08	5.23	11.50	554.08	162.50	8.98
Nebraska	4,107.14	2.69	5.34	1,133.10	79.00	29.51
Nevada	515.45	.34	.47	.....	.....	.....
New Hampshire	888.18	.58	9.55	20.00	.....	2.25
New Jersey	1,912.77	1.25	24.47	15.79	6.00	1.14
New York	7,572.25	4.95	15.40	78.36	20.00	1.30
North Carolina	2,089.37	1.37	4.00	165.05	110.50	13.19
Ohio	9,614.39	6.29	23.41	146.77	44.00	1.98
Oregon	1,571.00	1.03	1.64	52.10	52.00	6.63
Pennsylvania	7,618.20	4.98	16.85	116.99	19.50	1.79
Rhode Island	149.82	.10	11.99	.....	.....	.....
South Carolina	1,957.00	1.28	6.40	83.80	18.00	5.20
Tennessee	3,043.89	1.99	7.24	45.00	128.20	5.69
Texas	7,105.54	4.65	2.67	852.77	71.50	13.01
Vermont	864.86	.57	9.04	4.00	.....	.46
Virginia	3,124.87	2.04	7.36	54.53	23.60	2.50
West Virginia	768.40	.50	3.10	72.04	.....	9.88
Wisconsin	7,748.26	5.07	13.83	371.46	28.00	5.16
Alaska .....	.....	.....	.....	.....	.....	.....
Arizona	609.25	.40	.54	70.95	.....	11.65
Dakota	1,082.45	.71	.73	792.25	.....	7.32
District of Columbia	29.87	.02	42.67	.....	.....	.....
Idaho	63.50	.04	.07	39.50	.....	62.21
Indian Ter.	456.20	.30	.71	408.20	48.00	100.00
Montana	697.89	.46	.48	618.04	66.00	97.73
New Mexico	1,338.67	.91	1.09	220.41	147.70	27.50
Utah	1,307.98	.85	1.54	5.85	.....	.45
Washington	212.90	.14	.31	75.00	20.00	.45
Wyoming	833.80	.56	.87	110.09	.....	12.00
Total	152,781.00	100.	.....	12,688.00	2,312.00	.....

Such questions as arise in connection with the territorial distribution of railway facilities, suggested by this summary, will for the present be passed over, although a glance at the figures shows that such a discussion would be full of interest. With regard to new mileage two facts are worthy of notice. In the first place, it will be observed that comparatively few strictly parallel lines have been built during the period covered by the figures presented. This is a significant fact, and, so far as it goes, shows railway construction to have added to the real wealth of the community. In the second place, the location of the new lines is a matter of importance. The Southern States show an unusual degree of enterprise in the matter of railway construction, and when the amount of line in this section of the country is compared

with that of other portions of the Union, as shown in the column giving percentages, this form of enterprise may be heartily commended.

But the greatest activity in railway construction lies in that territory west of the Missouri River which, until within a comparatively few years, has not been favorably regarded by those who control large capital. It is not said that too much line has been built in this section of the country, but it will hardly be denied, in view of the financial difficulties into which some of the corporations interested have fallen, that railway construction has passed beyond the immediate needs of the locality mentioned. The explanation of this fact is simple. There has been repeated in Dakota, Nebraska, Kansas, Montana, and Colorado the old story of competition between rival corporations for the control of new territory, and in other Western States new lines are now competing for traffic between important cities. The policy of railway management of which this is the result is not here brought into question; but it is believed that one who appreciates the situation as exposed in the above summary will not be inclined to hold legislation responsible for the financial difficulties of certain corporations.

TABLE II.—AMOUNT OF RAILWAY CAPITAL AT THE CLOSE OF THE YEAR ENDING JUNE 30, 1888.

It is the purpose of this table to show how much property exists in the United States that draws its revenue from railway management, and to assign that property to the various forms in which it exists. It includes stocks, bonds, and floating indebtedness of all sorts.

The scope of the table and the information it is intended to convey will be clearly seen from the following analysis:

Analysis of Table II.

1. Amount of stocks issued and outstanding.
 - Amount per mile of line.
 - Proportion to total railway capital.
 - Proportion existing as common stock.
 - Proportion existing as preferred stock.
2. Amount of bonded debt issued and outstanding.
 - Amount per mile of line.
 - Proportion to total railway capital.
3. Other forms of indebtedness.
 - Amount per mile of line.
 - Proportion to total railway capital.
 - Designation of indebtedness:
 - (a) Car-trust obligations.
 - (b) Bills, audited accounts, wages, and traffic balances payable on June 30, 1878.
 - (c) Receivers' certificates and miscellaneous.
4. Total railway capital.
 - Amount per mile of line.

In one respect the language adopted in this table is a little different from that which railway accountants use in presenting their reports to stockholders. Railway accountants class bonds as an incumbrance on the road and take no account of floating debt as capital. From the stand-point of stockholders interested in what determines the market value of stocks, or dividends on stocks, there is no objection to this plan; but from the stand-point of the public this is far from satisfactory.

A marked difference exists between keeping books for a railway corporation and keeping books for the public, and it is the latter rather than the former task which is imposed upon a bureau of Railway Statistics. But there is ample precedent for classifying railway bonds as railway capital. English statisticians make their returns in conformity to this idea, and all who treat of railway problems from the point of view of public economy are accustomed to this use of the word. And, indeed, when it is recognized that many railways have been built from the proceeds of bonds rather than from the proceeds of stock, and that railway managements regard bonds as a perpetual incumbrance, it must be admitted that the situation is truly represented by including them under the head of railway capital.

Perhaps it will not be so readily admitted that floating indebtedness, independently of assets on hand to meet that indebtedness, should be classed as railway capital, but the purpose of this classification may be easily understood. Stocks and bonds together make up that part of railway capital classed as fixed investments; but it is a well-known law of industrial economy that fixed investments can not be productive except through the assistance of circulating capital. In what form does railway circulating capital exist, and what shall be the measure of the amount employed? Manifestly it exists in the forms of loans and bills payable, audited vouchers and accounts, wages and salaries due, and the like, and its measure is the average liability incurred in the course of business. Consequently in Table II, under the head of "Other forms of indebtedness," is included current liabilities existing on June 30, 1888, and these liabilities are assumed to fairly represent the circulating capital which is necessary to keep the fixed capital in a profitable state of activity.

It may be asked, why not accept the other side of the balance-sheet, namely, the assets, as representing circulating railway capital? This might be done were it not for one fact. It must be remembered that the object of the table is to include in railway capital all property which is devoted to the prosecution of the business of carriers. Now, for the most part, an examination of the reports filed by the carriers shows that assets and liabilities do not vary greatly so far as their amounts are concerned. In other words, debts accruing are substantially provided for by the accumulation of cash assets to meet them when due. So far, however, as there is a failure to balance, the tendency seems to be towards a growth of liabilities rather than an increase of assets. This is not necessarily evidence of bad financial management; it may result naturally from the rapid expansion of business. But whatever the explanation the result is that the floating debt tends to increase, and continues to increase until, being funded, it becomes a part of the permanent railway capital. Now, were we to accept assets instead of liabilities as the measure of circulating capital the balance in favor of liabilities, which represents property devoted to the railway industry, would, for the time being, be excluded from the account. The result would be that the total of railway capital estimated in this manner would be less than the amount actually in existence. This is the reason why it seemed best to adopt liabilities rather than assets as the measure of circulating capital.

It is true that in this manner there is some danger of doing injustice to individual corporations whose assets exceed their liabilities, and whose accounts therefore show no balance of indebtedness. To guard against such a misreading of the figures it should be noticed that it is

not intended in this table to present the financial standing of the individual roads. That information may be gained from Table VI according to the plan of the forthcoming report.

Assuming the theory of classification to be understood, what are the facts disclosed by this second table? These are presented in the following summary:

Summary of railway capital. (120,000 miles of line represented.)

Railway capital.	Amount outstanding.	Per cent. of total capital.	Per mile of road.
Common stock	\$2, 918, 687, 049	41.84	\$24, 322.39
Preferred stock	471, 985, 862	6.76	3, 933.22
Funded debt	3, 384, 930, 213	48.52	28, 207.75
Floating debt plus current liabilities	200, 668, 032	2.88	1, 672.23
Total	6, 976, 271, 156	100.	58, 135.59

The first point of interest suggested by the above summary pertains to the respective proportions of railway capital that exist as stock and bonds. On this point the summary shows that of the total, 48.60 per cent. is assignable to stock and 48.52 per cent. to funded debt, leaving 2.88 per cent. in the form of current liabilities. The significance of the facts thus disclosed will be readily seen if the peculiar nature of each form of property is held in mind. In the inception of this business stock represented the ownership of the original projectors of the enterprise. It is the voting property, and control over it gives control over the road. In theory the inception of a railway enterprise begins with the issue of stock, and upon the basis of the property created out of the proceeds of its sale, bonds are issued with which to complete an enterprise set on foot.

In many cases roads have been constructed in conformity to this theory, and there are instances, as shown from the returns made to this office, in which important roads have been built without the use of bonds, and which to-day are not mortgaged. But this theory does not conform to the general history of railway construction in the United States, when regarded as a whole, nor is it supported by the figures that appear in the summary. The truth is quite the reverse of the theory. Railroads are almost universally built on borrowed capital, and the amount of stock that is issued, in the majority of cases, represents the difference between the actual cost of the undertaking and the confidence of the public—expressed by the amount of bonds it is willing to absorb—in the ultimate success of the venture. This thought is presented, perhaps too strongly, yet well presented, in the words of a well-known writer on technical questions pertaining to railway affairs. He says:

The same general law obtains, and always has obtained throughout the world, that such properties (as railways) are always built on borrowed money up to the limit of what is regarded as their positive and certain minimum value. The risk only—the dubious margin which is dependent upon sagacity, skill, and good management—is assumed and held by the company proper who control and manage the property.*

It may then be said that, as a rule, stock represents the speculative interest in railway management, while bonds represent actual proprie-

* The Economic Theory of Railway Location, p. 31.

torship, and measure in a rough manner the estimate by the public of the minimum or certain value of the road.

Whether or not it is a sign of healthful activity that bonds should tend to overbalance stock, or what the movement in the future is likely to be in this respect, are questions that for the present must be passed by; but one point in this connection seems worthy a moment's notice. Stocks are properly termed the *entrepreneur* property—that is to say, the property of the manager. A control over a majority of the shares issued gives control over management; or, translating these statements into the figures presented in the summary above, the ownership of \$1,695,336,556, or 24.30 per cent. of the total railway capital, may give complete direction over \$6,976,271,156 of railway capital, or 120,000 miles of operated line. This is a fact frequently presented by publicists, but it is one which never loses its significance as giving character to the American railway system.

With regard to circulating capital, a word only will be said. It appears that the circulating capital is only 2.88 per cent. of the total investment. As compared with almost any other business, this is remarkably small, but the variation is easily explained; for, in the first place, the fixed investments of the railway industry are of such a sort that they last a long time. The life of steel rails, for example, has not yet been accurately determined. Bridges, stations, and roadways, by proper repairs, last for a long series of years. On this account, the value of property that must be kept on the books as fixed investments greatly outbalances that which must be kept on hand to meet current liabilities. But the chief explanation of the fact mentioned lies in the peculiar nature of the traffic business. So far as passengers are concerned, pay is always taken for service before the service is rendered; while for freight carried the cash is usually demanded upon delivery of goods; on the other hand, all expenses are usually settled monthly. It is not necessary, therefore, to keep on hand as large a bank balance relative to the total of business, as is the case where business is carried on upon a credit basis, or by discount of commercial paper.

Perhaps the most significant fact disclosed by Table II pertains to the amount of capital per mile of line, but no discussion of this question will be presented in the present report; the amount will be somewhat increased by more complete returns of capitalization from subsidiary roads; and not only are the conclusions under this head open to some question, but there are many correlated facts not at hand, without which a discussion of the amount of capital per mile of line must be unsatisfactory. It is hoped to present this matter in a more perfect form in a subsequent report.

TABLE III.—EARNINGS AND INCOME FOR THE YEAR ENDING JUNE 30, 1883.

As previously stated, this table exhibits all revenue accruing to railway corporations, exclusive of that arising from sale of securities or decrease of assets. The analysis of income to which it conforms is suggested by the various items it includes. These items are as follows:

A. Earnings from operation:

- (a) Passenger revenue.
Revenue per passenger per mile.
- (b) For carrying the mail.
- (c) For carrying express matter.

A. Earnings from operation—Continued.**1. Total passenger earnings:**

Passenger earnings per train-mile.

Proportion to total traffic earnings.

(a) Freight revenue.

Revenue per ton per mile.

(b) Stock-yards.

(c) Elevators.

2. Total freight earnings, including miscellaneous:

Freight earnings per train-mile.

Proportion to total traffic earnings.

3. Total traffic earnings, including miscellaneous:

Total traffic earnings per train-mile.

Proportion to total income.

B. Income from property owned but not operated:

(a) Dividends on stocks owned.

(b) Interest on bonds owned.

(c) Rentals on plant owned.

4. Total income from property owned.

Proportion to total income.

5. Total earnings and income.

It appears from the above that Table III conforms to the usual methods of classifying operating earnings, and only departs from ordinary custom in placing by the side of such earnings income from permanent investments in property not operated. For the railway manager whose interest centers in operating earnings and operating expenses, that part of the table which deals with income from stocks and bonds owned or from rentals is of slight importance. But for the public, as indeed for any one who wishes to gain a comprehensive view of railway affairs, all items included in the revenue of railways must be brought under one heading. The interest of the public centers in the question of rates for service rendered, and as fixed charges must be added to operating expenses before the question of rates or of dividends can be considered, so for the same reason income from fixed investments must be added to operating income. The final summary of this table gives total earnings and income; that is to say, the several amounts in this summary of the table show all the money received by the corporations named, exclusive only of the proceeds of new securities or of decreased assets.

There is some question as to the propriety of including the express business under passenger service. On many roads there are special express trains which carry no passengers, and which seem more nearly allied to a fast-freight service than to passenger service. But as long as the item of revenue from express is kept distinct from passenger revenue, and since the assignment of the express business to passenger service is adopted by most of the roads, it seemed best, for the present at least, to conform to general custom. It is only necessary in judging of the cost of carrying passengers to make some allowance for the rapidly increasing incomes to railroads from expressage.

Below is given a general summary of the facts embodied in detail in Table III. A presentation of deductions will be reserved until after consideration of Table IV.

Summary of earnings and income. (120,000 miles of line represented.)

Sources.	Gross amount.	Proportion to total revenue from operation.	Proportion to total income.
		<i>Per cent.</i>	<i>Per cent.</i>
Passenger service.....	\$235,963,341	29.46	27.20
Freight service.....	544,858,663	68.03	62.81
Other revenue from operation.....	20,076,842	2.51	2.31
Total revenue from operation.....	800,898,846	100.	.....
Income from other sources.....	66,575,580	.....	7.68
Total income (excluding credits sold).....	867,474,426	.....	100.

TABLE IV.—GENERAL EXPENSES FOR THE YEAR ENDING JUNE 30, 1888.

As the previous table considered all forms of ordinary income, so this table includes all expenditures except such as are incurred for extension of line or betterment of property. The classification to which it conforms is shown in the following analysis:

Analysis of Table IV.

A.—Expenditures chargeable to operation:

1. Maintenance of way and structures.

Proportion to total operating expenses.

Proportion assigned to—

(a) Passenger service.

(b) Freight service.

2. Maintenance of equipment.

Proportion to total operating expenses.

Proportion assigned to—

(a) Passenger service.

(b) Freight service.

3. Conducting transportation.

Proportion to total operating expenses.

Proportion assigned to—

(a) Passenger service.

(b) Freight service.

4. General expenses.

Proportion to total operating expenses.

Proportion assigned to—

(a) Passenger service.

(b) Freight service.

5. Summary of operating expenses.

Proportion assigned to—

(a) Passenger service.

(b) Freight service.

Proportion of operating expenses to operating income.

B.—Expenditure assignable to fixed charges:

Total amount assigned as—

Interest on bonds.

Rentals paid.

Taxes paid.

Miscellaneous.

C.—Summary and deductions:

1. Total operating expenses and fixed charges.

Deductions:

- (a) Proportion assignable to operation.
- (b) Proportion assignable to fixed charges.
- (c) Cost of carrying one passenger one mile.
- (d) Cost of running passenger train one mile.
- (e) Cost of carrying one ton of freight one mile.
- (f) Cost of running freight train one mile.
- (g) Average cost per train-mile of all trains earning revenue.

There are two questions of importance suggested by this analysis. The first pertains to the classification of expenses under the four heads, maintenance of way and structures, maintenance of equipment, conducting transportation, and general expenses; the second question pertains to the apportionment of expenses between the passenger and freight service. With regard to the first of these questions, as stated in the Commission's report on page 67, "the distribution into four general classes was determined upon as the most scientific and satisfactory of the various systems in use, while the subordinate heads under each class are so arranged as to require no important change from what is known as 'the classification of operating expenses,' which was agreed upon by a convention of State commissioners at Saratoga June 10, 1879, and which has been quite generally adopted in actual use." And certainly where one looks into this classification it appears simple, adequate, and workable; and it is a pleasure to add that many roads that have not previously done so are now adjusting their accounts to its requirements.

The question which arises in connection with apportionment of expenses between passenger and freight service is one that can not be determined with such confidence. One point only respecting it lies beyond the limit of reasonable controversy, and that is that such apportionment must in some manner be made. Not only is this demanded in the interest of comparative statistics, but it is of great importance for an intelligent judgment on relative freight and passenger charges. But when the proper rule for making the apportionment of expenses comes to be considered, it is necessary, in the presence of the many and conflicting theories entertained by competent railway accountants, to proceed with great caution.

The rule adopted by the Commission, as contained in its book of instructions for the guidance of carriers in making their annual reports, is as follows:

All expenses which are naturally chargeable to either freight or passenger traffic should be entered in their respective columns; expenses which are not naturally chargeable to either traffic should be apportioned on a mileage basis, making the division as between freight and passenger traffic in the proportion which the freight and passenger train mileage bears to the total mileage of trains earning revenue.

With few exceptions this rule has been followed by the carriers in making their reports, and the results exhibited in the tables show the manner of its working. There is of course no difference of opinion, so far as the expenses "naturally chargeable to either freight or passenger traffic" is concerned. The difficulty arises in connection with such expenses as can not be so apportioned. For example, how can it be determined what proportion of the cost of maintaining a road-bed in good order is chargeable to freight revenue?

The confusion that exists on this subject may be the best indicated by stating the various theories respecting it. According to the rule

given above, expenses which from their nature can not be easily assigned are to be apportioned on the basis of train mileage. This is thought to allow more nearly than any other arbitrary rule for the varying elements of velocity and weight. If freight trains are heavier than passenger trains the latter are ordinarily run at higher speed; and, as is well known, the "pound" of a train on the rails is measured by its momentum or the resultant of velocity multiplied by weight. Curves, grades, temperature and other factors which vary with physical characteristics of the road or with the locality in which it is built, may be regarded as constant so far as freight and passenger service is concerned.

But this rule of apportionment fails to gain acceptance by many accountants who have had large experience in railway affairs. Some claim that an apportionment fair to all branches of the railway service is impossible. They who maintain this position assume that operating expenses should be taken as a whole, and they conceive the whole duty of the manager to have been performed if at the close of the fiscal year there remains a satisfactory margin of earnings. It is urged by others that the only solution of the problem is to determine the ratio of apportionment for those items of expense that can be readily traced to passenger and freight service, and then to adopt this ratio for apportioning the other items. This position is less satisfactory than the one previously stated, for it gives the appearance of a solution when in reality it is but an evasion of the problem. There are other accountants who use car mileage as the true basis of apportionment; others substitute for this engine mileage; still others declare that mileage has nothing to do with the question, and that weight of trains alone should be considered. In German and Swiss statistics the number of axles in a train serves as the basis of most comparative and proportional computations, and it is possible that further study would reveal yet other theories.

In the presence of such divergence of opinion as is portrayed above, it is certainly well to refrain from hasty judgment. The question is one to be determined by careful investigation and comparative study. But in reading the letters of the several railway officers who have favored the Commission with arguments upon this subject, one thought has presented itself that may prove the source of fruitful inquiry. It happens that the several accountants who hold the theories referred to are officers of roads that differ widely in their physical characteristics, as also in the nature of the competition to which their business must conform. In one case the road-bed is straight and over a level country, in another there are sharp curves and heavy grades; one road is obliged to depend for supremacy upon fast trains; another, running through country sparsely settled, can run its trains according to requirements of economy; the average temperature and humidity, also, which must affect somewhat the wear and tear of way, is different for the several roads. Now it is possible that divergence of opinion as to the proper method of apportioning expenses between freight and passenger service is due to the varying conditions under which the problem has been considered; and if this be true it is of course impossible to discover any single rule to satisfy the problem. This can only be determined by applying the several rules under different conditions, and comparing the results. Such a method of procedure would be scientific and must lead to trustworthy results. It is proposed in this office to undertake such an investigation.

The following is the summary of Table IV :

Summary of expenditures. (120,000 miles of line represented).

Source of expenditure.	Amount.	Proportion to total operating expenses.	Proportion to total expenditures.	Proportion assignable to—	
				Passenger service.	Freight service.
Maintenance of way and structures.....	\$116, 199, 339	<i>Per cent.</i> 22.88	<i>Per cent.</i> 15.76	<i>Per cent.</i> 36.14	<i>Per cent.</i> 63.86
Maintenance of equipment.....	87, 808, 398	17.29	11.92	29.98	70.02
Conducting transportation.....	249, 728, 694	49.18	33.88	31.87	68.13
General operating expenses.....	54, 059, 914	10.65	7.33	38.86	61.14
Total operating expenses.....	507, 796, 345	100.	.....	*34.21	*65.79
Fixed charges.....	229, 338, 165	.....	31.11	.....	.....
Total expenditures (excluding betterments).....	737, 134, 510	.....	100.	.....	.....

* Approximate figures.

These facts do not call for comment after the explanation by which the summary was preceded. Accepting the theory of classification and apportionment, their import may be easily grasped. But in connection with Table III and Table IV, there are a few deductions which, when placed side by side, will be found interesting and instructive. In the tables themselves the results that follow will be given in detail for each road :

Comparative summary of results to be deduced from Table III and Table IV.

Revenue per passenger per mile,
 Average cost of carrying one passenger one mile,
 Revenue per ton of freight per mile,
 Average cost of carrying one ton of freight one mile,
 Revenue per train-mile, passenger trains,
 Average cost of running a passenger train one mile,
 Revenue per train-mile, freight trains,
 Average cost of running a freight train one mile,
 Percentage of operating expenses to operating income.

There is, of course, some danger of misinterpreting, or rather of misapplying, such figures as the above summary will lead to when presented. They are to be accepted as averages, and not as a standard. It lies in the theory of averages to eliminate everything that is peculiar; he, therefore, who makes use of an average for any particular problem must modify the standard so far as that is necessary to allow for what is peculiar in the conditions considered. So far as the above deductions are concerned it is quite likely that the United States is too vast in extent, and presents too great variety in the conditions under which railway traffic is carried on, to admit of a defensible standard for the entire country. It is likely that it will be found necessary to group the railways according to some plan that will give general conformity and fixed items of cost and expense for each group. It will be seen that the problem of setting forth trustworthy statistics is not a light one.

TABLE V.—PAYMENTS ON RAILWAY CAPITAL FOR THE YEAR ENDING JUNE 30, 1888.

From this table may be learned the dividends paid on stock and the interest paid on bonds. In the column devoted to total payments there is included miscellaneous interest payments. The idea of the table is such a familiar one that it does not seem necessary to enter into any explanation of the form in which it is presented. The facts disclosed or the summary of the table may be learned from the following classification of stock and bonds on the basis of the rates of dividends or of interest paid:

Classification of stocks and bonds according to rate of dividend or of interest.

Rate per cent.	Amount of stock.	Per cent. of total stock.	Amount of bonds.	Per cent. of total bonds.
Nothing paid	\$1, 775, 574, 953	52.37	\$680, 945, 810	26.12
Under 1				
1 to 2	* 79, 226, 616	2.34	3, 000, 000	.09
2 to 3	148, 569, 394	4.38		
3 to 4	126, 356, 325	3.73	19, 817, 506	.59
4 to 5	216, 781, 979	6.39	337, 686, 315	9.98
5 to 6	320, 465, 161	9.45	573, 277, 423	16.93
6 to 7	250, 985, 662	7.40	1, 101, 391, 842	32.53
7 to 8	329, 122, 281	9.71	620, 244, 317	18.33
8 to 9	62, 279, 200	1.83	46, 822, 000	1.38
9 to 10	3, 309, 510	.10		
10 to 11	74, 421, 900	2.19	*1, 745, 000	.05
11 and above	3, 579, 900	.11		
Total	3, 390, 672, 911	100.	3, 384, 930, 213	100.

*10 per cent.

There are quite a number of questions suggested by such an exhibit as the above. What is the meaning of that large block of stock paying no dividends? An answer to this question calls for a more extended analysis than can be indulged in in this preliminary report. What interpretation is to be put on the actual rates of interest paid on bonds? These facts all have a meaning, just as analogous facts pertaining to Government indebtedness have a meaning. Indeed it is remarkable, when one looks at the bonded indebtedness from the point of view of the public, how close are the analogies between principles of public finance and the principles of a sound railway economy. There is here opened up a field of investigation altogether too broad for a preliminary report.

TABLE VI.—GROSS INCOME AND APPLICATION OF THE SAME FOR THE YEAR ENDING JUNE 30, 1888.

The scope of this table is shown in the following analysis:

Analysis of Table VI.

A. Gross income to railway corporations:

1. Operation.
2. Bonds or stocks owned.
3. Other property owned.
4. Sale of securities.
5. Sale of land or other assets.

B. Application of gross income:

1. Operation.
2. Fixed charges.
3. Permanent improvements.
4. Financial betterments.
5. Dividends.

C. Balance, showing movement in floating debt or in assets.

This table may be regarded as the culmination of the plan that runs through the previous tables. Its aim is to show the total income for the year, the several sources from which that income is derived, and the manner in which it is used. From the figures presented one may determine the degree of success which has attended the year's operations, for, since total income is set over against total expenditure, the balance will show either an increase or a decrease in assets or an increase or decrease in floating debt.

Independently of a previous analysis of railway capital, earnings, and expenditures an exhibit of this sort would be of little significance, but coming as it does after such an analysis, so that the items here mentioned may be traced back to the service which occasions expenditure and gives rise to income, the facts it discloses are of great importance. For one thing they will tend to allay the suspicions of the public with regard to all corporations that are equitably managed.

This table also has a direct bearing on the vexed question of overcapitalization when that question is regarded not so much in retrospect as in view of future railway expansion. In Table III, which treats of earnings and income, by earnings is meant earnings from operation, and by income is meant income from previous investments; and in Table IV, which treats of expenditures, only those expenditures are considered which are contingent on the operation of property as it exists. But in this table—Table VI—the word income is extended to include all moneys derived from the sale of new securities or the disposal of lands or other property as well as moneys received from operation and investment; while on the side of expenditures is included all permanent improvements or betterments of any sort.

The meaning of permanent improvements is sufficiently clear, but possibly the word betterments may not be understood. As the word is here employed it is intended to include such items as reduction of the indebtedness, either funded or floating (whether this be done directly or by payments to a sinking fund), investment in securities of any sort, and increase of cash assets; indeed any financial transaction by which the standing of the corporation is in any way bettered. It appears, then, that the purpose of the table is to balance the extension of property against the extension of debt. Recurring now to the question in hand, it is well known that a fruitful source of overcapitalization is the custom of creating debt for the purchase of equipment and making no provision for the extinction of the debt at the time the equipment shall have been worn out. New stock must then be issued to purchase new equipment, while the old debt yet remains as an incumbrance on the property.

If, now, statistical inquiry into railway matters can show the average life of various sorts of equipment, and if, by means of some such annual balance as that suggested by the sixth table in this report, a failure to make provision for deterioration of the movable property is disclosed, the mere publication of such a fact will do much towards closing this avenue of overcapitalization. In matters of this sort the American

statistician has much to learn from the statistician of Germany. Among the most interesting of the questions investigated by German railway statistics is the one that pertains to the rate of deterioration in railway equipment.

The thoughts expressed above are but two of the many that suggest themselves when considering the significance of this last table of the report. Others may be presented when the details of the table shall be given in the completed report.

Respectfully submitted.

HENRY C. ADAMS,
Statistician.

DECEMBER 1, 1888.

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
1	Addison and Pennsylvania Railway Company	Addison & Pa. Ry
2	Adirondack Railway Company	Adirondack Ry
3	Alabama Great Southern Railroad Company	Ala. Gt. Sn. R. R.
4	Allegheny Valley Railroad Company	A. V. R. R.
5	Allegan and Lake Shore Railroad Company	Allegan & L. S. R. R.
6	Americus, Preston and Lumpkin Railroad Company	A., P. & L. R. R.
7	Anglesea Railroad Company	Anglesea R. R.
8	Annapolis and Baltimore Short Line Railroad Company	Annap. & B. S. L. R. R.
9	Annapolis, Washington and Baltimore Railroad Company	Annap., W. & B. R. R.
10	Anniston and Atlantic Railroad Company	Anniston & A. R. R.
11	Anniston and Cincinnati Railroad Company	Anniston & C. R. R.
12	Arizona and New Mexico Railway Company	Ari. & N. M. Ry
13	Arkansas and Louisiana Railway Company	A. & L. Ry
14	Arkansas Midland Railroad Company	Ark. Midland R. R.
15	Ashland Coal and Iron Railway Company	Ash. C. & I. Ry
16	Atchison, Topeka and Santa Fé Railroad Company	A., T. & S. F. R. R.
17	Denver and Santa Fé Railroad Company	Den. & S. F. R. R.
18	Florence, Eldorado and Walnut Valley Railroad Company	Flor., E. & Wal. Vy. R. R.
19	Kansas City, Emporia and Southern Railway Company	Kan. Cy., E. & Sn. Ry
20	Kansas City, Topeka and Western Railroad Company	Kan. Cy., T. & Wn. R. R.
21	Leavenworth, Northern and Southern Railway Company	Lea., Nn. & Sn. Ry
22	Marion and McPherson Railway Company	Mar. & McP. Ry
23	New Mexican Railroad Company	New Mex. R. R.
24	New Mexico and Southern Pacific Railroad	New Mex. & S. P. Ry
25	Pueblo and Arkansas Valley Railroad Company	Pueb. & Ark. Vy. R. R.
26	Rio Grande and El Paso Railroad Company	Rio G. & El P. R. R.
27	Rio Grande, Mexico and Pacific Railroad Company	Rio G., M. & P. R. R.
28	Silver City, Deming and Pacific Railroad Company	Sil. Cy., D. & P. R. R.
29	Southern Kansas Railway Company	Sn. Kan. Ry
30	Southern Kansas Railway Company of Texas	Sn. Kan. Ry. of Tex.
31	Wichita and Southwestern Railway Company	Wich. & S. Wn. Ry
32	Atlantic and Pacific Railroad Company	Atl. & Pac. R. R.
33	California Central Railway Company	Cal. Cent. Ry
34	Redondo Beach Railway Company	Redondo B. Ry
35	California Southern Railroad Company	Cal. Sn. R. R.
36	Chicago, Kansas and Western Railroad Company	C., K. & Wn. R. R.
37	Chicago, Santa Fé and California Railway Company	C., S. F. and C. Ry
38	Atchison, Topeka and Santa Fé Railroad Company in Chicago	A., T. & S. F. R. R. in Chic.
39	Mississippi River Railroad and Toll Bridge Company	Miss. Riv. R. R. & T. B. Co.
40	Sibley Bridge Company	Sibley Bridge Co.
41	Gulf, Colorado and Santa Fé Railway Company	Gulf, Colo. & S. F. Ry
42	Kingman, Pratt and Western Railroad Company	King., P. & Wn. R. R.
43	Leavenworth, Topeka and South Western Railway Company	Leav., T. & S. Wn. R. R.
44	Manhattan, Alma and Burlingame Railway Company	Manh., A. & B. Ry
45	New Mexico and Arizona Railroad Company	New Mex. & Ari. R. R.
46	St. Louis, Kansas City and Colorado Railroad Company	St. L., K. C. & Colo. R. R.
47	St. Joseph, St. Louis and Santa Fé Railway Company	St. J., St. L. & S. F. Ry
48	Wichita and Western Railroad Company	Wich. & Wn. R. R.
49	Atlantic Coast Line Association	A. C. L. Assn
50	Albemarle and Raleigh Railroad Company	Albe. & R. R. R.
51	Cheraw and Darlington Railroad Company	Che. & D. R. R.
52	Cheraw and Salisbury Railroad Company	Che. & S. R. R.
53	Chowan and Southern Railroad Company	Cho. & Sn. R. R.
54	Manchester and Augusta Railroad Company	Manch. & Aug. R. R.
55	Midland Railroad Company of North Carolina	Mid. R. R. of N. C.
56	Midland Railroad Company of North Carolina	N. En. R. R. of S. C.
57	North Eastern Railroad Company of South Carolina	N. En. R. R. of S. C.
58	Ashley River Railroad Company	Ashley R. R. R.

for the year ending June 30, 1888.

3	4	5	6	7	
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.		<i>Miles.</i>	<i>Miles.</i>		
Sept. 22. O. & F.	Addison & Pa. Ry. Co.	41.00	41.00	Narrow gauge	1
Sept. 15. O. & F.	Adir. Ry. Co.	60.00	60.00	.....	2
Sept. 15. O. & F.	Ala. Gt. Sn. R. R. Co.	295.50	290.21	Part of "Queen and Cres- cent" system.	3
Oct. 19. O. & F.	John Scott and W. H. Barnes, receivers.	260.30	260.30	.....	4
Sept. 5. O. & F.	Allegan & L. S. R. R. Co.	5.00	5.00	Narrow gauge	5
.....	A. P. & L. R. R. Co.	112.00	112.00	do	6
.....	J. A. Bodine receiver	7.00	7.00	.....	7
.....	Annap. & B. S. L. R. R. Co.	28.00	28.00	.....	8
Oct. 6. O. & F.	Annap., W. & B. R. R. Co.	20.50	20.50	.....	9
.....	Anniston & A. R. R. Co.	53.00	53.00	Narrow gauge	10
Oct. 4. O. & F.	Anniston & C. R. R. Co.	35.00	35.00	do	11
Sept. 13. O. & F.	Ari. & N. M. Ry. Co.	71.00	71.00	do	12
.....	W. P. Hart, receiver	27.00	27.00	.....	13
Nov. 26. O. & F.	Ark. Midland R. R. Co.	49.00	49.00	Narrow gauge	14
.....	Ash. C. & I. Ry. Co.	22.06	22.06	.....	15
Oct. 24. O. & F.	A. T. & S. F. R. R. Co.	3,022.78	470.58	Atchison system	16
Oct. 29. O. & F.	A. T. & S. F. R. R. Co. (lessee).	124.27	124.27	.....	17
Oct. 29. O. & F.	do	72.73	72.73	.....	18
Nov. 5. O. & F.	do		84.29	.....	19
Oct. 29. O. & F.	do		66.32	.....	20
Oct. 29. O. & F.	do		46.19	.....	21
Oct. 29. O. & F.	do		98.61	.....	22
Oct. 29. O. & F.	do		68.11	.....	23
Nov. 5. O. & F.	do		372.09	.....	24
Nov. 5. O. & F.	do		292.44	.....	25
Oct. 29. O. & F.	do		20.15	.....	26
Oct. 29. O. & F.	do		186.08	.....	27
Oct. 29. O. & F.	do		48.29	.....	28
Nov. 5. O. & F.	do		841.52	.....	29
Oct. 29. O. & F.	do		100.41	.....	30
Oct. 29. O. & F.	do		130.70	.....	31
Nov. 2. O. & F.	Atl. & Pac. R. R. Co. for A. T. & S. F. & St. L. & S. F.	930.00	675.00	.....	32
Oct. 24. O. & F.	Cal. Cent. Ry. Co. for A., T. & S. F. R. R.	269.09	258.28	.....	33
.....	Cal. Cent. Ry. Co. (lessee)		10.81	.....	34
Oct. 24. O. & F.	Cal. Sn. R. R. Co. for A., T. & S. F. R. R.	210.60	210.60	.....	35
Nov. 5. O. & F.	C. K. & Wn. R. R. Co. for A., T. & S. F. R. R.	903.16	903.16	.....	36
Oct. 19. O. & F.	C. S. F. & C. Ry. Co. for A., T. & S. F. R. R.	516.70	438.57	.....	37
Oct. 24. O. & F.	do		10.58	.....	38
Oct. 19. O. & F.	do .....		.61	.....	39
Oct. 19. O. & F.	do .....		.76	.....	40
Sept. 28. O. & F.	Gulf, Colo. & S. F. Ry. Co. for A. T. & S. F. R. R.	1,022.16	1,022.16	.....	41
Oct. 19. O. & F.	King, P. & Wn. R. R. Co. for A. T. & S. F. R. R.	79.71	79.71	.....	42
Nov. 5. O. & F.	Leav., T. & S. Wn. Ry. Co. for A. T. & S. F. R. R.	46.30	46.30	.....	43
Nov. 5. O. & F.	Manh., A. & B. Ry. Co. for A., T. & S. F. R. R.	56.62	56.62	.....	44
Nov. 5. O. & F.	New Mex. & Ari. R. R. Co. for A. T. & S. F. R. R.	87.78	87.78	.....	45
Sept. 28. O. & F.	St. L., K. C. & Colo. R. R. Co. for A. T. & S. F. R. R.	59.72	59.94	.....	46
Oct. 24. O. & F.	St. J., St. L. & S. F. Ry. Co. for A. T. & S. F. R. R.	96.50	96.50	.....	47
Oct. 20. O. & F.	Wich. & Wn. R. R. Co. for A. T. & S. F. R. R.	44.93	44.93	.....	48
Sept. 17. O. & F.	A. C. L. Assn.	837.00		Atlantic Coast Line sys- tem.	49
Sept. 17. O.	do		32.00	.....	50
Sept. 17. O.	do		40.00	.....	51
Sept. 17. O.	do		28.00	Under construction	53
.....	do			do	54
Sept. 17. O.	do		35.00	.....	56
Sept. 17. O.	do		102.00	.....	57
Sept. 17. O.	do		4.00	.....	58

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Atlantic Coast Line Association—Continued.	
59	Petersburg Railroad Company	Petersburg R. R.
60	Richmond and Petersburg Railroad Company	Rich. & P. R. R.
61	Wilmington and Weldon Railroad Company	Wilm. & Wel. R. R.
62	Central Railroad Company of South Carolina	C. R. R. of S. C.
63	Florence Railroad Company	Florence R. R.
64	Wilmington, Columbia and Augusta Railroad Company	Wilm., C. & A. R. R.
65	Atlanta and Florida Railroad Company	At. & Fl. R. R.
66	Atlantic and Danville Railway Company	Atl. & D. Ry.
67	Atlantic and North Carolina Railroad Company	Atl. & N. C. R. R.
68	Atlantic and Western Railroad Company of Florida	Atl. & Wn. R. R. of Fla.
69	Augusta, Gibson and Sandersville Railroad Company	Aug. G. & S. R. R.
70	Austin and Northwestern Railroad Company	Austin & N. Wn. R. R.
71	Baltimore and Delaware Bay Railroad Company	B. & D. Bay R. R.
72	Baltimore and Ohio Railroad Company	B. & O. R. R.
73	Baltimore, Ohio and Chicago Railroad Company	B., O. & C. R. R.
74	Baltimore and Philadelphia Railroad Company	B. & Phil. R. R.
75	Berlin Railroad Company	Berlin R. R.
76	Central Ohio Railroad Company	C. Ohio R. R.
77	Fairmount, Morgantown and Pittsburgh Railroad Company	F., M. & Pitts. R. R.
78	Newark, Somerset and Stratsville Railroad Company	Newark, S. & S. R. R.
79	Parkersburg Branch Railroad Company	P. Branch R. R.
80	Pittsburgh and Connellsville Railroad Company	Pitts. & Conn. R. R.
81	Fayette County Railroad Company	F. Co. R. R.
82	Mount Pleasant and Broad Ford Railroad Company	Mt. P. & B. R. R.
83	Salisbury Railroad Company	Salisbury R. R.
84	Sandusky, Mansfield and Newark Railroad Company	Sdaky., Mans. & N. R. R.
85	Schuylkill River East Side Railroad Company	S. River E. S. R. R.
86	Sharpsville Railroad	Sharpsville R. R.
87	Somerset and Cambria Railroad Company	S. & Cambria R. R.
88	South Branch Railroad Company	S. Branch R. R.
89	State Line Railroad Company	State Line R. R.
90	Strasburg and Harrisonburg Railroad Company	Strasburg & H. R. R.
91	Washington City and Point Lookout Railroad Company	Wash., C. & P. L. R. R.
92	Washington County Railroad Company	Wash. Co. R. R.
93	Wheeling, Pittsburgh and Baltimore Railroad Company	W., P. & B. R. R.
94	Winchester and Potomac Railroad Company	Win. & Pot. R. R.
95	Winchester and Strasburg Railroad Company	Win. & S. R. R.
96	Bangor and Piscataquis Railroad Company	Bangor and Pisc. R. R.
97	Bangor and Katahdin Iron Works Railway	B. & Kat. I. W. Ry.
98	Bangor and Portland Railway Company	Bangor & P. Ry.
99	Barclay Railroad Company	Barclay R. R.
100	Batesville and Brinkley Railroad Company	B. & B. R. R.
101	Bath and Hammondport Railroad Company	Bath & H. R. R.
102	Bear Lake and Eastern Railroad Company	Bear Lake & En. R. R.
103	Beech Creek Railroad Company	Beech Creek R. R.
104	Bellaire, Zanesville and Cincinnati Railroad Company	B. Z. & C. R. R.
105	Bell's Gap Railroad Company	Bell's Gap R. R.
106	Clearfield and Jefferson Railroad Company	C. & J. R. R.
107	Belt Railway Company of Chicago	Belt Ry. of C.
108	Bennington and Glastenbury Railroad, Mining and Manufacturing Company	B. & G. R. R.
109	Bennington and Rutland Railway Company	B. & R. Ry.
110	Bentonville Railroad Company	Bentonville R. R.
111	Birmingham, Selma and New Orleans Railway Company	B., S. & N. O. Ry.
112	Bishopville Railroad Company	Bishopville R. R.
113	Black Hills and Fort Pierre Railroad Company	B. Hills & Ft. P. R. R.
114	Blackville, Alston and Newberry Railroad Company	Blackv., A. & N. R. R.
115	Blue Ridge and Atlantic Railroad Company	Blue R. & Atl. R. R.
116	Bodie and Benton Railway and Commercial Company	Bodie & Benton Ry.
117	Boston and Albany Railroad Company	B. & A. R. R.
118	North Brookfield Railroad Company	No. Brookfield R. R.
119	Pittsfield and North Adams Railroad Company	Pittsf. & N. A. R. R.
120	Providence, Webster and Springfield Railway Company	P., W. & S. Ry.
121	Spencer Railroad Company	Spencer R. R.
122	Ware River Railroad Company	Ware River R. R.
123	Boston and Maine Railroad Company	B. & M. R. R.
124	Danvers Railroad Company	Danvers R. R.

for the year ending June 30, 1888—Continued.

3	4	5	6	7
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.		Miles.	Miles.	
Sept. 17. O.	A. C. L. Assn	61.00	61.00	Atlantic Coast Line sys- tem.
Sept. 17. O.	.....do	23.00	23.00	.....
Sept. 17. O.	.....do	286.00	286.00	.....
Sept. 17. O.	A. C. L. Assn., (lessee)	40.00	40.00	.....
Sept. 17. O.	.....do	17.50	17.50	Under construction.
Sept. 17. O.	.....do	192.00	192.00	.....
Sept. 18. O. & F.	A. & F. R. R. Co.	87.00	87.00	Under construction.
Sept. 5. O. & F.	Atl. & D. Ry. Co.	55.00	55.00	Narrow gauge
Oct. 24. O. & F.	Atl. & N. C. R. R. Co.	95.00	95.00	.....
Nov. 26. O. & F.	Atl. & Wn. R. R. Co. of Fla.	30.00	30.00	.....
Nov. 26. O.	Aug. G. & S. R. R. Co.	80.00	80.00	Narrow gauge
Nov. 26. O.	Aus. & N. Wn. R. R. Co.	60.00	60.00	do
Nov. 26. O.	B. & D. Bay R. R. Co.	50.00	50.00	.....
Nov. 26. O. & F.	B. & O. R. R. Co.	1,788.78	497.65	Baltimore and Ohio sys- tem.
Nov. 26. O.	.....do	262.06	262.06	.....
Nov. 26. O.	.....do	112.25	112.25	.....
Nov. 26. O.	.....do	8.00	8.00	.....
Nov. 26. O.	B. & O. R. R. Co. (lessee)	137.29	137.29	.....
Nov. 26. O.	.....do	25.50	25.50	.....
Nov. 26. O.	.....do	44.00	44.00	.....
Nov. 26. O.	B. & O. R. R.	104.00	104.00	.....
Nov. 26. O.	B. & O. R. R. Co. (lessee)	150.20	150.20	.....
Nov. 26. O.	B. & O. R. R. (lessee P. & C. R. R.)	12.90	12.90	.....
Nov. 26. O.	.....do	9.70	9.70	.....
Nov. 26. O.	B. & O. R. R.	8.90	8.90	.....
Sept. 14. O. & F.	B. & O. R. R. (lessee)	112.25	112.25	.....
Nov. 26. O.	B. & O. R. R.	10.30	10.30	.....
Nov. 26. O.	.....do	22.53	22.53	.....
Nov. 26. O.	.....do	45.19	45.19	.....
Nov. 26. O.	.....do	16.00	16.00	.....
Nov. 26. O.	.....do	2.40	2.40	.....
Nov. 26. O.	B. & O. R. R. (lessee)	50.00	50.00	.....
Nov. 26. O.	.....do	12.50	12.50	.....
Nov. 26. O.	B. & O. R. R.	24.25	24.25	.....
Nov. 26. O.	.....do	66.00	66.00	.....
Nov. 26. O.	B. & O. R. R. (lessee)	32.00	32.00	.....
Nov. 26. O.	.....do	19.00	19.00	.....
Sept. 15. O. & F.	Bangor & Pisc. R. R. Co.	95.40	57.60	.....
Sept. 15. O.	Bangor & Pisc. R. R. Co. (les- see)	18.90	18.90	.....
Oct. 24. O. & F.	Bangor & P. Ry. Co.	32.51	32.51	.....
Nov. 12. O. & F.	Towanda Coal Co. (lessee)	16.23	16.23	.....
Nov. 12. O. & F.	B. & B. R. R. Co.	58.00	58.00	Narrow gauge
Nov. 23. O. & F.	Henry S. Stebbins (lessee)	9.40	9.40	do
Sept. 13. O. & F.	Bear Lake & En. R. R. Co.	19.00	19.00	do
Sept. 13. O. & F.	Beech Creek R. R. Co.	130.58	130.58	.....
Sept. 13. O. & F.	I. U. Burgoon, receiver	103.75	102.75	Narrow gauge
Sept. 13. O. & F.	Bell's Gap R. R.	41.30	25.30	.....
Sept. 15. O. & F.	Bell's Gap R. R. (lessee)	16.00	16.00	.....
Nov. 8. O. & F.	Belt Ry. Co., of C.	21.31	21.31	Transfer Co.
Nov. 8. O. & F.	B. & G. R. R. Co.	9.00	9.00	Lumber road
Nov. 5. O. & F.	B. & R. Ry. Co.	58.91	58.91	.....
Nov. 19. O. & F.	Bentonville R. R. Co.	6.38	6.38	.....
Oct. 20. O. & F.	B. S. & N. O. Ry. Co.	20.70	20.70	.....
Oct. 20. O. & F.	A. J. Atkins, owner	22.50	22.50	.....
Sept. 5. O. & F.	B. Hills & Ft. P. R. R. Co.	15.00	15.00	Narrow gauge
Nov. 5. O. & F.	Blackv., A. & N. R. R. Co.	29.50	29.50	Under construction
Oct. 22. O. & F.	Blue R. & Atl. R. R. Co.	21.00	21.00	.....
Nov. 22. O. & F.	Bodie & Benton Ry. Co.	34.00	34.00	Narrow gauge
Nov. 22. O.	B. & A. R. R. Co.	389.83	304.52	.....
Nov. 22. O.	B. & A. R. R. Co. (lessee)	4.00	4.00	.....
Nov. 22. O. & F.	.....do	18.55	18.55	.....
Nov. 22. O.	.....do	11.23	11.23	.....
Nov. 22. O.	.....do	2.18	2.18	.....
Nov. 22. O. & F.	.....do	49.35	49.35	.....
Nov. 12. O. & F.	B. & M. R. R. Co.	999.72	124.00	Boston and Maine system, mileage in U. S. only.
Dec. 3. O. & F.	B. & M. R. R. Co. (lessee)	9.26	9.26	.....

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Boston and Maine Railroad Company—Continued.	
125	Dover and Winnipiseogee Railroad Company.....	Dover & W. R. R.
126	Kennebunk and Kennebunkport Railroad Company.....	Kennebunk & K. R. R.
127	Lowell and Andover Railroad Company.....	Lowell & And. R. R.
128	Manchester and Keene Railroad Company.....	Man. & K. R. R.
129	Manchester and Lawrence Railroad Company.....	Man. & L. R. R.
130	Newburyport Railroad Company.....	Newburyport R. R.
131	West Amesbury Railroad Company.....	W. Amesbury R. R.
132	Worcester, Nashua and Rochester Railroad Company.....	W. N. & R. R. R.
133	Boston and Lowell Railroad Company.....	B. & L. R. R.
134	Central Massachusetts Railroad Company.....	Cent. Mass. R. R.
135	Connecticut and Passumpsic Rivers Railroad Company.....	Conn. & Pass. R. R.
136	Nashua and Lowell Railroad Company.....	N. & L. R. R.
137	Peterborough Railroad Company.....	Peterborough R. R.
138	Stony Brook Railroad Company.....	Stony Brook R. R.
139	Wilton Railroad Company.....	Wilton R. R.
140	Eastern Railroad Company of Massachusetts.....	Eastern R. R. of Mass.
141	Chelsea Beach Railroad Company.....	C. Beach R. R.
142	Eastern Railroad Company in New Hampshire.....	Eastern R. R. in N. H.
143	Portsmouth and Dover Railroad Company.....	Ports. & D. R. R.
144	Portsmouth, Great Falls and Conway Railroad Company.....	Ports., G. F. & C. R. R.
145	Newburyport City Railroad Company.....	Newburyport Cy. R. R.
146	Portland, Saco and Portsmouth Railroad Company.....	Port., S. & P. R. R.
147	Wolfeborough Railroad Company.....	Wolf R. R.
148	Boston, Concord and Montreal Railroad Company.....	B., C. & M. R. R.
149	Pemigewasset Valley Railroad Company.....	Pemig. R. R.
150	Northern New Hampshire Railroad Company.....	Northern N. H. R. R.
151	Concord and Claremont Railroad Company.....	C. & C. R. R.
152	Peterborough and Hillsborough Railroad Company.....	P. & H. R. R.
153	St. Johnsbury and Lake Champlain Railroad Company.....	St. J. & L. C. R. R.
154	Boston, Revere Beach and Lynn Railroad Company.....	B., R. Beach & L. R. R.
155	Boston, Winthrop and Shore Railroad Company.....	B., W. & S. R. R.
156	Bradford, Bordell and Kinzua Railroad Company.....	B., B. & K. R. R.
157	Big Level and Kinzua Railroad Company.....	B., L. & K. R. R.
158	Bradford, Bordell and Smethport Railroad Company.....	B. B. & S. R. R.
159	Rew City and Eldred Railroad Company.....	R. Cy. & E. R. R.
160	Brookridge Company Railroad.....	Breck. Co. R. R.
161	Bridgton and Saco River Railroad Company.....	B. & S. R. R. R.
162	Brighthope Railway Company.....	Brighthope Ry.
163	Brooklyn and Brighton Beach Railroad Company.....	B. & B. B. R. R.
164	Brunswick and Western Railroad Company.....	B. & Wn. R. R.
165	Buckley and Douglass Railroad Company.....	B. & D. R. R.
166	Buffalo Creek Railroad Company.....	B. Creek R. R.
167	Buffalo Creek Transfer Railroad Company.....	Buf. Ck. Tr. R. R.
168	Buffalo, Rochester and Pittsburgh Railway Company.....	B., R. & P. Ry.
169	Brookwayville and Punxsutawney Railroad Company.....	B. & Punx. R. R.
170	Perry Railroad Company.....	Perry R. R.
171	Burlington, Cedar Rapids and Northern Railway Company.....	B., C. R. & Nn. Ry.
172	Cedar Rapids and Clinton Railway Company.....	C. R. & C. Ry.
173	Cedar Rapids, Iowa Falls and Northern Railway Company.....	C. R., I. F. & N. Ry.
174	Chicago, Decorah and Minnesota Railway Company.....	C., D. & Minn. Ry.
175	Iowa City and Western Railroad Company.....	I. Cy. & Wn. Ry.
176	Burlington and Lamaille Railroad Company.....	B. & L. R. R.
177	Burlington and Northwestern Railway Company.....	B. & N. Wn. Ry.
178	Burlington and Western Railway Company.....	B. & Wn. Ry.
179	Cadillac and Northeastern Railroad Company.....	Cadillac & N. E. R. R.
180	Cairo, Vincennes and Chicago Line.....	Cairo, V. & C. Line.
181	California and Nevada Railroad Company.....	Cal. & Nev. R. R.
182	California Short Line Railway Company.....	Cal. S. L. Ry.
183	Canadian Pacific Railway Company.....	C. P. Ry.
184	Newport and Richford Railroad Company.....	Newport & R. R. R.

for the year ending June 30, 1888—Continued.

3	4	5	6	7	
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.		<i>Miles.</i>	<i>Miles.</i>		
Nov. 26. O. & F.	B. & M. R. R. Co	29.00	29.00	Boston and Maine system.	125
Nov. 21. O. & F.	do	4.50	4.50		126
Nov. 24. O. & F.	do	8.73	8.73		127
Nov. 12. O.	B. & M. R. R. Co. (lessee)	29.59	29.59		128
Nov. 12. O.	do	22.39	22.39		129
Nov. 23. O. & F.	do	26.98	26.98		130
Nov. 12. O.	do	4.50	4.50		131
Nov. 12. O.	do	94.48	94.48		132
Nov. 12. O.	do	26.75	26.75		133
Nov. 14. O. & F.	B. & M. R. R. Co. (lessee B. & L. R. R.).	98.77	98.77		134
Nov. 12. O.	do		110.30		135
Nov. 24. O. & F.	do		14.50		136
Nov. 12. O.	do		10.50		137
Nov. 19. O. & F.	do		13.16		138
Nov. 12. O.	do		15.50		139
Nov. 12. O.	B. & M. R. R. Co. (lessee)		118.84		140
Nov. 12. O.	B. & M. R. R. Co. (lessee E. R. R. of Mass.).		1.78		141
Nov. 12. O.	do		16.08		142
Nov. 30. O. & F.	do		10.88		143
Nov. 12. O.	do		72.80		144
Nov. 23. O. & F.	do		2.24		145
Nov. 12. O.	do		50.76		146
Nov. 12. O.	do		12.03		147
Nov. 12. O.	B. C. & M. R. R., for B. & L. R. R.	186.27	186.27		148
do	do		20.00		149
do	Northern N. H. R. R., for B. & M. R. R.	172.31	82.91		150
do	do		70.90		151
do	do		18.50		152
do	St. J. & L. C. R. R., for B. & L. R. R.	131.58	131.58		153
do	Boston, R. B. & L. R. R. Co.	8.80	8.80	Narrow gauge	154
do	Boston, W. & S. R. R. Co.	9.51	9.51	do	155
do	Bradford, B. & K. R. R. Co.	62.32	16.93	do	156
do	Bradford, B. & K. R. R. Co.		10.50	do	157
do	Bradford, B. & K. R. R. Co. (lessee)		10.23	do	158
do	do		12.16	do	159
do	G. McFarlane, receiver	9.00	9.00	do	160
do	Bridgton & S. R. R. Co.	16.00	16.00	Narrow gauge	161
do	Brighthope Ry. Co.	32.75	32.75	do	162
do	James Jourdan, receiver	7.50	7.50	Narrow gauge	163
do	Bruna, & Wn. R. R. Co.	171.00	171.00	Part of Plant system ..	164
do	Buckley & D. R. R. Co.	8.00	8.00	Lumber road; narrow gauge.	165
do	Buf. Ck. R. R. Co.	5.82	5.82	Terminal road in Buffalo, N. Y.	166
Oct. 22. O. & F.	Buf. Ck. Tr. R. R. Co.	1.10	1.10	do	167
Oct. 8. O. & F.	B. R. & P. Ry. Co.	286.53	222.27	do	168
do	do		25.00		169
do	do		1.03		170
Sept. 24. O. & F.	B., C. R. & Nn. Ry. Co.	1,070.69	402.08		171
Sept. 24. O.	B., C. R. & Nn. Ry. Co. (lessee) ..		81.94		172
Sept. 24. O.	do		429.20		173
Sept. 24. O.	do		23.30		174
Sept. 24. O.	do		73.02		175
Oct. 19. O. & F.	B. & L. R. R. Co.	34.50	34.50	Part of Central Vermont system	176
Oct. 26. O. & F.	B. & N. Wn. Ry. Co.	38.77	38.77	Narrow gauge	177
Oct. 26. O. & F.	B. & Wn. Ry. Co.	70.70	70.70	do	178
Oct. 4. O. & F.	W. W. Cumner, owner	13.65	13.65	do	179
Sept. 26. O. & F.	A. J. Thomas & C. E. Tracy, receivers.	266.10	266.10	Cairo division of Wash. Saint Louis and Pacific Railway.	180
do	Cal. & Nev. R. R. Co.	10.00	10.00	Narrow gauge	181
do	C. S. L. Ry. Co.	8.00	8.00	Under construction ..	182
do	C. P. Ry. Co.	22.00		Mileage in United States only.	183
do	C. P. Ry., lessee of So. E. Ry.		22.00		184

TABLE I.—Classification of railways and mileage

1	2
Name of carrier.	Abbreviated name of road.
185 Canton and Waynesburg Railroad Company.....	C. W. R. R.
186 Cape Fear and Yadkin Valley Railway Company.....	Cape Fear & Y. V. Ry.
187 South Carolina Pacific Railway Company.....	So. Car. Pac. Ry.
188 Cape Girardeau Southwestern Railway Company (of Missouri).....	Cape G. S. Wn. Ry. of Mo.
189 Brownwood and Northwestern Railway Company	B. & N. W. Ry.
190 Cape May and Sewell's Point Railroad Company.....	Cape May & S. P. R. R.
191 Carson and Colorado Railroad Company.....	C. & C. R. R.
192 Carthage and Adirondack Railway Company.....	C. & A. Ry.
193 Catsaqua and Fogelsville Railroad Company.....	Catas. & Fogyll R. R.
194 Catskill Mountain Railway Company.....	Catskill Mt. Ry.
195 Cairo Railroad Company.....	Cairo R. R.
196 Cedar Rapids and Marion Railway Company.....	Cedar R. & M. Ry.
197 Central Iowa Railway Company.....	Cent. Ia. Ry.
198 Keithsburg Bridge Company.....	K. Bridge Co.
199 Peoria Terminal Railway Company.....	Peoria T. Ry.
200 Central Railroad and Banking Company of Georgia.....	C. R. & B. Co. of Ga.
201 Augusta and Savannah Railroad Company.....	A. & S. R. R.
202 East Alabama Railway Company.....	E. Ala. Ry.
203 Eatonton Branch Railroad Company.....	E. Branch R. R.
204 Eufaula and Clayton Railway Company.....	Eu. & C. Ry.
205 Mobile and Girard Railroad Company.....	Mobile & G. R. R.
206 Montgomery and Eufaula Railway Company.....	M. & E. Ry.
207 Southwestern Railroad Company.....	S. W. R. R.
208 Buena Vista and Ellaville Railroad Company.....	B. V. & E. R. R.
209 Columbus and Rome Railroad Company.....	C. & Rome R. R.
210 Louisville and Wadley Railroad Company.....	L. & Wadley R. R.
211 Port Royal and Augusta Railway Company.....	P. R. & Aug. Ry.
212 Port Royal and Western Carolina Railroad Company.....	P. R. & Wn. C. R. R.
213 Savannah, Griffin and North Alabama Railroad Company.....	S. G. & No. Ala. R. R.
214 Sylvania Railroad Company.....	Sylvania R. R.
215 Talbotton Railroad Company.....	Talbotton R. R.
216 Upson County Railroad Company.....	Upson Co. R. R.
217 Western Railway of Alabama.....	Wn. Ry. of Ala.
218 Columbus and Western Railroad Company.....	C. & W. R. R.
219 Atlanta and West Point Railroad Company.....	A. & W. P. R. R.
220 Wrightsville and Tennille Railroad Company.....	Wright & Ten. R. R.
221 Central Railroad Company of New Jersey.....	C. R. R. of N. J.
222 Constable's Hook Railroad Company.....	C. Hook R. R.
223 Cumberland and Maurice River Railroad Company.....	C. & M. River R. R.
224 Dover and Rockaway Railroad Company.....	Dover & E. R. R.
225 High Bridge Railroad Company.....	High Bridge R. R.
226 Lake Hopaceng Railroad Company.....	Lake H. R. R.
227 Lehigh and Lackawanna Railroad Company.....	L. & L. R. R.
228 Lehigh and Susquehanna Railroad Company.....	L. & S. R. R.
229 Longwood Valley Railroad Company.....	Longwood V. R. R.
230 Manufacturers' Railroad Company.....	Man. R. R.
231 New Jersey Southern Railroad Company.....	N. J. So. R. R.
232 New York and Long Branch Railroad Company.....	N. Y. & L. B. R. R.
233 Nesquehoning Valley Railroad Company.....	Nes. V. R. R.
234 Ogden Mine Railroad Company.....	Ogden M. R. R.
235 South Branch Railroad Company.....	So. Br. R. R.
236 Tom's River Railroad Company.....	Tom's R. R.
237 Trescowk Railroad Company.....	Tr. R. R.
238 Wilkes Barre and Scranton Railroad Company.....	W. & S. R. R.
239 Wind Gap and Delaware Railroad Company.....	W. Gap & D. R. R.
240 Central Union Depot and Railway Company.....	C. U. Depot & Ry.
241 Central Vermont Railroad Company.....	C. Vt. R. R.
242 Consolidated Railroad Company of Vermont.....	Con. R. R. of Vt.
243 Missisquoi Valley Railway Company.....	Miss. Valley Ry.
244 Montpelier and White River Railroad Company.....	M. & W. R. R.
245 New London Northern Railroad Company.....	N. L. Nor. R. R.
246 Brattleboro' and Whitehall Railroad Company.....	B. & W. R. R.
247 Vermont and Massachusetts Railroad Company.....	V. & M. R. R.
248 Ogdensburg and Lake Champlain Railroad Company.....	O. & L. C. R. R.
249 Lamotte Valley Extension Railroad Company.....	L. V. Ex. R. R.
250 Rutland Railroad Company.....	Rutland R. R.
251 Addison Railroad Company.....	Addison R. R.

for the year ending June 30, 1888—Continued.

3	4	5	6	7	
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.		<i>Miles.</i>	<i>Miles.</i>		
Sept. 14. O. & F.	C. & W. R. R. Co.	7.00	7.00		185
Oct. 26. O. & F.	Cape Fear & Y. V. Ry.	233.60	223.10		186
Oct. 26. O. & F.	Cape Fear & Y. V. Ry. (lessee)		10.50		187
Oct. 26. O.	Cape G. S. Wn. Ry. of Mo.	59.75	51.59		188
Oct. 26. O.	Cape G. S. Wn. Ry. of Mo., (lessee).		10.00		189
Dec. 12. O. & F.	Cape May & S. P. R. R.	4.00	4.00		190
Dec. 12. O. & F.	C. & C. R. R. Co.	300.00	300.00	Narrow gauge	191
Sept. 12. O. & F.	C. & A. R. R., for Magnetic Ore Co., owners.	37.00	37.00		192
Sept. 12. O. & F.	Catas. & Fogvill. R. R.	25.00	25.00		193
Sept. 22. O. & F.	C. M. Ry. Co.	19.50	15.73	Narrow gauge	194
Oct. 1. O. & F.	C. M. Ry. Co. (lessee)		3.77	do	195
Oct. 1. O.	Cedar R. & M. Ry.	12.00	12.00		196
Oct. 1. O.	Cent. Ia. Ry.	509.22	486.45		197
Oct. 1. O.	Cent. Ia. Ry. (lessee)		2.57		198
Oct. 1. O.	do	4.00	4.00		199
Oct. 1. O.	C. R. R. & Bkg. Co., of Ga.	1,402.50	311.25	Central of Georgia sys- tem.	200
do	do		53.00		201
do	do		39.00		202
do	do		21.75		203
do	do		21.00		204
do	do		84.50		205
do	C. R. R. & Bkg Co., of Ga.		80.00		206
do	do		333.00		207
do	do		30.00		208
do	do		50.00		209
do	do		10.00		210
do	do		112.00		211
do	do		229.00		212
do	do		60.00		213
do	do		15.00		214
do	do		7.00		215
do	do		16.00		216
Sept. 17. O. & F.	Wn. of Ala. for C. R. R. & Bkg Co. of Ga.	131.25	131.25		217
Sept. 17. O.	do	159.00	159.00		218
Sept. 17. O.	do	86.11	79.67		219
Sept. 17. O. & F.	C. R. R. & Bkg Co. of Ga.	35.50	35.50		220
Dec. 1. O. & F.	C. R. R. of N. J.	593.81	100.48	Central of New Jersey system.	221
Dec. 1. O.	C. R. R. of N. J. (lessee)		1.95		222
Dec. 1. O.	O. R. R. of N. J.		22.10		223
Dec. 1. O.	C. R. R. of N. J. (lessee)		5.12		224
Dec. 1. O.	C. R. R. of N. J.		20.46		225
Dec. 1. O.	C. R. R. of N. J. (lessee)		5.56		226
Dec. 1. O.	do		30.80		227
Dec. 1. O.	do		152.60		228
Dec. 1. O.	C. R. R. of N. J.		13.64		229
Dec. 1. O.	do		1.68		230
Dec. 1. O.	C. R. R. of N. J. (lessee)		88.57		231
Dec. 1. O.	N. Y. & L. B. for C. R. R. Co. of N. J. and Penn. R. R.		38.00		232
Dec. 1. O.	Cent. R. R. Co. of N. J. (lessee)		1.68		233
Dec. 1. O.	do		12.86		234
Dec. 1. O.	do		15.78		235
Dec. 1. O.	do		7.58		236
Dec. 1. O.	do		7.20		237
Dec. 1. O.	do		3.86		238
Dec. 1. O.	do		6.00		239
Dec. 1. O.	C. U. D. & R. Co.		1.44	Cincinnati, Ohio.	240
do	C. Vt. R. R. Co.	642.45		Central Vt. system; mileage in U. S. only.	241
do	C. Vt. R. R. Co., (lessee)		185.00		242
do	do		28.85		243
do	do		6.00		244
do	do		100.00		245
do	C. Vt. R. R. Co., (lessee) N. L. N.		36.00	Narrow gauge	246
do	do		21.00		247
do	C. Vt. R. R. Co., (lessee)		118.00		248
do	C. Vt. R. R. Co. (lessee) O. & L. C.)		12.00		249
do	C. Vt. R. R. Co., (lessee)		120.00		250
do	C. Vt. R. R. Co. (lessee Rut. R. R.)		15.60		251

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
252	Chagrin Falls and Southern Railroad Company	C. Falls & So. R. R.
253	Charleston, Cincinnati and Chicago Railroad Company ...	C. C. & C. R. R.
254	Charleston and Savannah Railway Company	C. & S. Ry.
255	Chattanooga and Lookout Mountain Railway Company ...	Chat. R. R.
256	Chattanooga, Rome and Columbus Railroad Company	C. & Lookout Mt. Ry.
257	Chattanooga, Rome and Columbus Railroad Company	C. R. & C.
258	Chattahoochee Railway Company	Chattahoochee Ry.
259	Chattahoochee Lake Railway Company	Chatt. Lake Ry.
260	Cherry Valley Railroad Company	Cherry Valley R. R.
261	Cheshire Railroad Company	Cheshire R. R.
262	Monadnock Railroad Company	Monadnock R. R.
263	Chesapeake and Nashville Railway Company	Ches. & N. Ry.
264	Chicago and Alton Railroad Company	C. & A. R. R.
265	Joliet and Chicago Railroad Company	Joliet & C. R. R.
266	Kansas City, Saint Louis and Chicago Railroad Company ..	K. Cy., St. L. & C. R. R.
267	Louisiana and Missouri River Railroad Company	L. & M. Riv. R. R.
268	Chicago and Atlantic Railway Company	C. & Atl. Ry.
269	Chicago, Burlington and Northern Railroad Company	C. B. & N. R. R.
270	Chicago, Burlington and Quincy Railroad Company	C. B. & Q. R. R.
271	Burlington and Missouri River Railroad in Nebraska	B. & M. R. R. in Neb.
272	Chicago and Iowa Railroad Company	C. & Iowa R. R.
273	Denver, Utah and Pacific Railroad Company	D., U. & Pac.
274	Chicago, Burlington and Kansas City Railway Company	C. B. & K. C. Ry.
275	Kansas City, Saint Joseph and Council Bluffs Railroad Company ..	Kan. Cy., St. J. & C. B. R. R.
276	Saint Louis, Keokuk and Northwestern Railroad Company ..	St. L., K. & N. W. R. R.
277	Keokuk and Northwestern Railroad Company	K. & N. W. R. R.
278	Chicago and Eastern Illinois Railroad Company	C. & E. Ill. R. R.
279	Chicago and Western Indiana Railroad Company	C. & Wn. Ind. R. R.
280	Evansville, Terre Haute and Chicago Railway Company	E., T. H. & C. Ry.
281	Indiana Block Coal Railroad Company	Ind. B. Coal R. R.
282	Chicago, Fairchild and Eau Claire River Railroad Company ..	C., F. & Eau C. R. R.
283	Chicago and Great Western Railroad Company	C. & Gt. W. R. R.
284	Chicago and Indiana Coal Railway Company	C. & Ind. Coal Ry.
285	Chicago, Iowa and Dakota Railway Company	C., Ia. & Dak. Ry.
286	Chicago, Kalamazoo and Saginaw Railway Company	C., K. & Sag. Ry.
287	Chicago, Milwaukee and Saint Paul Railway Company	C., M. & St. P. Ry.
288	Chicago and Northwestern Railway Company	C. & N. Wn. Ry.
289	Fremont, Elkhorn and Missouri Valley Railroad Company ..	F., E. & M. Vy. R. R.
290	Wyoming Central Railway	Wy. Cen. Ry.
291	Sioux City and Pacific Railroad Company	Sioux Cy. & P. R. R.
292	Chicago and Ohio River Railroad Company	C. & O. Riv. R. R.
293	Chicago, Rock Island, and Pacific Railway Company	C., R. I. & Pac. Ry.
294	Des Moines and Fort Dodge Railroad Company	D. M. & Ft. D. R. R.
295	Keokuk and Des Moines Railroad Company	K. & D. M. R. R.
296	Peoria and Bureau Valley Railroad Company	P. & B. V. R. R.
297	St. Joseph and Iowa Railroad Company	St. Joseph & Ia. R. R.
298	Chicago, Kansas, and Nebraska Railway Company	C., K. & N. R. R.
299	Chicago, St. Paul and Kansas City Railway Company	C., St. P. & K. Cy. Ry.
300	Chicago, St. Paul, Minneapolis and Omaha Railway Company ..	C., St. P., M. & O. Ry.
301	Chicago and Western Railroad Company	C. & Wn. R. R.
302	Chicago and West Michigan Railway Company	C. & W. Mich. Ry.
303	Grand Rapids Transfer and Junction Railroad Company ..	G. R. T. & J. R. R.
304	Cincinnati and Dayton Railway Company	Cin. & Day. Ry.
305	Cincinnati, Georgetown and Portsmouth Railroad Company ..	Cin., G. & P. R. R.
306	Cincinnati and Green River Railroad Company	Cin. & G. River R. R.
307	Cincinnati, Hamilton and Dayton Railroad Company	Cin., H. & D. R. R.
308	Bowling Green Railroad Company	B. Green R. R.
309	Cincinnati, Hamilton and Indianapolis	Cin., H. & I. R. R.
310	Cincinnati, Richmond and Chicago Railroad Company	Cin., R. & C. R. R.
311	Columbus, Findlay and Northern Railway Company	Col., F. & N. Ry.
312	Dayton and Michigan Railroad Company	D. & Mich. R. R.
313	Piqua and Troy Branch Railroad Company	Piq. & T. B. R. R.

for the year ending June 30, 1888—Continued.

3	4	5	6	7
Date of filing report. (Operating or finan- cial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.		Miles.	Miles.	
Oct. 1. O. & F.	C. F. & S. R.R.	5.00	5.00	Narrow gauge
	C. & C. R.R.	108.50	108.50	Under construction
	C. & S. Ry. Co.	120.25	102.25	Part of Plant system
	C. R. R. Co.	54.36	54.36	Narrow gauge
	C. & L. M. Ry. Co.	6.25	6.25	Under construction
	C. R. & C. R. R. Co.	140.00	140.00	do
Sept. 18. O. & F.	Chattahoochee Ry.	50.00	50.00	
Sept. 5. O. & F.	Chaut. Lake Ry.	23.85	23.85	
	Cherry Valley R.R.	6.00	6.00	Used principally in connection with Marine Mining Co.
Oct. 13. O. & F.	Cheshire R.R.	80.01	53.64	
Oct. 13. O.	Cheshire R.R. (lessee)		16.00	
Nov. 2. O. & F.	Ches. & N. Ry.	35.87	35.87	
Oct. 1. O. & F.	C. & A. R.R.	848.98	549.16	Alton system
Oct. 1. O. & F.	C. & A. R.R. (lessee)		87.20	
Oct. 1. O.	do		161.82	
Oct. 1. O.	do		140.80	
Nov. 20. O. & F.	C. & Atl. Ry.	248.50	248.50	
Oct. 6. O. & F.	C. B. & N. R.R.	369.25	354.88	
Oct. 5. O. & F.	C. B. & Q. R.R.	2,139.28	2,139.28	Burlington system
Oct. 5. O. & F.	B. & M. in Neb. for C. B. & Q.	2,706.40	2,706.40	
Oct. 5. O. & F.	C. & Iowa for C. B. & Q.	104.50	104.50	
Oct. 5. O. & F.	D. U. & Pac. for C. B. & Q.	49.30	49.30	
Oct. 5. O. & F.	C. B. & K. C. for C. B. & Q.	188.99	188.99	
Oct. 5. O. & F.	K. C. St. J. & C. B. for C. B.	313.69	310.29	
Oct. 5. O. & F.	St. L. R.R.			
Oct. 5. O. & F.	St. L., K. & N. W. for C. B. & Q. R.R.	214.41	135.82	
Oct. 5. O. & F.	do		48.09	
Sept. 20. O. & F.	C. & E. Ills. R.R.	72.76	176.34	
Sept. 15. O. & F.	do		48.58	Used by eight roads entering Chicago.
Sept. 20. O.	do		48.60	
Sept. 20. O.	do		12.62	
	C. F. & E. C. R. R. R. Co.	16.00	16.00	Logging road
	C. & Gt. W. R.R.	9.00	9.00	Terminal Company in Chicago.
Sept. 20. O. & F.	C. & Ind. Coal Ry.	151.96	151.96	
Sept. 24. O. & F.	C. Ia. & Dak. Ry.	26.50	26.50	
	Kalamazoo & Hastings Construction Co.	31.00	31.00	
	C. M. & St. P. Ry.	5,672.49	5,663.81	Milwaukee & St. Paul system.
Sept. 15. O. & F.	C. & N. Wn. Ry.	4,216.75	2,601.93	Northwestern system.
Sept. 15. O. & F.	F., E. & M. Vy. R.R. for Chic. & N. Wn. R.R.	1,154.45	1,048.69	
Sept. 15. O.	do		105.76	
Sept. 15. O. & F.	do	107.42	107.42	
Oct. 8. O. & F.	Chic. & O. R. R. R.	86.00	86.00	
Sept. 24. O. & F.	Chic. R. I. & Pac. Ry.	1,527.90	1,121.00	Rock Island system
Sept. 24. O.	Chic. R. I. & Pac. Ry. (lessee)		143.70	
Sept. 24. O.	do		162.30	
Sept. 24. O.	do		46.70	
Sept. 24. O.	Chic. R. I. & Pac. Ry.	64.41	64.41	
Sept. 24. O.	do	1,247.90	1,179.90	
Sept. 24. O.	C. St. P. & K. C. Ry. Co.	622.24	602.06	
Sept. 22. O. & F.	C. St. P., M. & O. Ry. Co.	1,394.40	1,330.80	Part of Northwestern system.
Sept. 5. O. & F.	C. & Wn. R.R.	.79	.79	
Nov. 16. O. & F.	C. & W. Mich. Ry.	413.94	413.94	
Nov. 16. O.	do	1.00	1.00	
	Cin. & D. Ry. Co.	13.00	13.00	
	Cin., G. & P. R. R. Co.	42.00	42.00	Narrow gauge
	Cin. & G. R. R. R. Co.	15.00	15.00	
Oct. 18. O. & F.	Cin., H. & D. R. R.	368.00	60.00	
	Cin., H. & D. R. R. (owners)		6.00	
	Cin., H. & D. R. R. (controlled)		98.00	
	Cin., H. & D. R. R. (lessee)		45.00	
	Cin., H. & D. R. R. (controlled)		9.00	
	Cin., H. & D. R. R. (lessee)		142.00	
	Cin., H. & D. R. R. (owners)		8.00	

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
314	Cincinnati, Hooking Valley and Huntington Railroad Company.	Cin., H. V. & H. R. R.
315	Cincinnati, Indianapolis, Saint Louis and Chicago Railway Company.	C., I., St. L. & C. Ry.
316	Cincinnati, Lafayette and Chicago Railroad Company.	C., L. & C. R. R.
317	Columbus, Hope and Greensburg Railroad Company.	Cols., Hope & Grbg. R. R.
318	Vernon, Greensburg and Rushville Railroad Company.	Vernon, Grbg. & R. R. R.
319	Kankakee and Seneca Railroad Company.	Kankakee & S. R. R.
320	Cincinnati, Jackson and Mackinaw Railroad Company.	Cin., J. & M. R. R.
321	Cincinnati, Lebanon and Northern Railway Company.	Cin., L. & N. Ry.
322	Cincinnati, New Orleans and Texas Pacific Railway Company.	Cin., N. O. & T. P. Ry.
323	Cincinnati Southern Railway Company.	Cin. So. Ry.
324	Cincinnati Northwestern Railway Company.	Cin. N. Wn. Ry.
325	Cincinnati, Sandusky and Cleveland Railroad Company.	Cin., S. & C. E. R.
326	Columbus, Springfield and Cincinnati Railroad Company.	C., S. & Cin. R. R.
327	Cincinnati, Selma and Mobile Railway Company.	Cin., Sel. & M. Ry.
328	Cincinnati and Southeastern Railway Company.	Cin. & S. E. Ry.
329	Cincinnati, Wabash and Michigan Railway Company.	Cin., Wab. & M. Ry.
330	Cincinnati, Washington and Baltimore Railroad Company.	Cin., W. & Balt. R. R.
331	Cincinnati and Westwood Railroad Company.	Cin. & Westwood R. R.
332	Cincinnati, Wheeling and New York Railroad Company.	Cin., Wheeling & N. Y. R. R.
333	Clarendon and Pittsford Railroad Company.	Clarendon & P. R. R.
334	Clarinda and Saint Louis Railroad Company.	Clarinda & St. L. R. R.
335	Clarksburg, Westen and Glenville Railroad and Transportation Company.	C., W. & G. R. R. & T. Co.
336	Cleveland, Akron and Columbus Railway Company.	Clev., Akron & Cols. Ry.
337	Cleveland and Canton Railroad Company.	Clev. & Canton R. R.
338	Waynesburg and Canton Railroad Company.	W. & Canton R. R.
339	Cleveland, Columbus, Cincinnati and Indianapolis Railway Company.	Clev. C. C. & I. Ry.
340	Cincinnati and Springfield Railway Company.	Cin. & Sprg'd Ry.
341	Dayton and Union Railroad Company.	Dayton & U. R. R.
342	Dayton and Western Railroad Company.	Dayton & W. R. R.
343	Indianapolis and St. Louis Railway Company.	Indls. & St. L. Ry.
344	St. Louis, Alton and Terre Haute Railroad Company.	St. L., A. & T. H. R. R.
345	Mount Gilead Short Line Railway Company.	Mt. G. S. Line Ry.
346	Cleveland, Lorain and Wheeling Railroad Company.	Clev., Lor. & W. R. R.
347	Cleveland and Marietta Railway Company.	Clev. & Mar. Ry.
348	Cleveland, St. Louis and Kansas City Railway Company.	Clev., St. L. & K. Cy. Ry.
349	Cleveland and Western Railroad Company.	Clev. & Wn. R. R.
350	Colorado Midland Railway Company.	Colo. Mid. Ry.
351	Columbia and Puget Sound Railway Company.	Col. & P. S. Ry.
352	Columbus and Cincinnati Midland Railroad Company.	Col. & Cin. Mid. R. R.
353	Columbus and Eastern Railway Company.	Cols. & E'n Ry.
354	Columbus, Hocking Valley and Toledo Railway Company.	Cols. H. V. & Tol. Ry.
355	Colusa and Lake Railroad Company.	Colusa & Lake R. R.
356	Concord Railroad Company.	C. R. R.
357	Concord and Portsmouth Railroad Company.	C. & P. R. R.
358	Manchester and North Weare Railroad Company.	M. & N. W. R. R.
359	Nashua, Acton and Boston Railroad Company.	N., A. & B. R. R.
360	Suncook Valley Railroad Company.	Suncook V. R. R.
361	Connecting Terminal Railroad Company.	Connecting Ter. R. R.
362	Connecticut River Railroad Company.	Conn. Riv. R. R.
363	Ashuelot Railroad Company.	Ashuelot R. R.
364	Vermont Valley Railroad Company of 1871.	Vt. Vy. R. R. of 1871.
365	Sullivan County Railroad Company.	Sullivan Cy. R. R.
366	Cornwall Railroad Company.	Cornwall R. R.
367	Cornwall and Lebanon Railroad Company.	Cornwall & L. R. R.
368	Coudersport and Port Allegany Railroad Company.	Couders. & Pt. All. E. R.
369	Covington and Macon Railroad Company.	C. & Macon R. R.
370	Crawford and Manistee River Railway Company.	Craw. & Man. Riv. Ry.
371	Crooked Creek Railroad and Coal Company.	Crook'd C. R. R. & C. Co.
372	Webster City and Southwestern Railroad Company.	Web. Cy. & S. Wn. R. R.
373	Crystal Railway Company.	Crystal Ry.
374	Cumberland and Pennsylvania Railroad Company.	C. & Pa. R. R.
375	Cumberland Valley Railroad Company.	C. Vy. R. R.
376	Franklin Railroad Company.	Franklin R. R.
377	Cumberland Valley and Martinsburg Railroad Company.	C. Vy. & M. R. R.

for the year ending June 30, 1888—Continued.

3		4	5	6	7
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.			Miles.	Miles.	
		John Karshner, contractor	10.00	10.00	314
Oct. 1.	O. & F.	C., I., St. L. & C. Ry.	400.38	227.48	"Big Four" Line. 315
Oct. 1.	O.	C., I., St. L. & C. Ry. (lessee)		75.18	316
Oct. 1.	O.	C., I., St. L. & C. Ry.		24.28	317
Oct. 1.	O.	do		44.54	318
Oct. 1.	O. & F.	K. & S. for C., I., St. L. & C. & C., R. I. & Pac. Ry.		42.08	319
		C., J. & M. R. R.	260.00	237.00	320
		C., L. & Nn. Ry.	88.85	37.65	Narrow gauge 321
Sept. 15.	O. & F.	Cin., N. O. & T. P. Ry. Co.	335.92		Part of "Queen and Crescent" system. 322
Sept. 15.	O.	Cin., N. O. & T. P. Ry. Co. (lessee).		335.92	323
Nov. 16.	O. & F.	Cin. N. Wn. Ry.	6.50	6.50	324
Oct. 8.	O. & F.	Cin., S. & C. R. R.	191.09	146.09	325
Oct. 8.	O.	Cin., S. & C. R. R., (lessee)		45.00	326
Sept. 17.	O. & F.	Cin., Sel. & M. Ry.	67.26	53.06	327
		Cin. & S. En. Ry.	18.50	18.50	Narrow gauge 328
Oct. 15.	O. & F.	Cin., Wab. & M. Ry.	165.00	165.00	329
		C., W. & B. R. R.	280.80	280.80	330
		C. & W. R. R.	5.63	5.63	Narrow gauge 331
		C., W. & N. Y. R. R.	19.00	19.00	332
Nov. 19.	O. & F.	Clarendon & P. R. R.	10.00	10.00	Marble road 333
Sept. 22.	O. & F.	F. M. Gault, receiver	21.50	21.50	334
Oct. 31.	O. & F.	C., W. & G. R. R. & T. Co.	25.50	25.50	Narrow gauge 335
Oct. 17.	O. & F.	Clev., Akron & Cols. Ry.	177.25	177.25	336
Nov. 30.	O. & F.	Clev. & Canton R. R.	160.59	160.59	Narrow gauge 337
Nov. 30.	O.	Clev. & Canton R. R., owners.			338
Sept. 24.	O. & F.	Clev. C. C. & I. Ry.	391.15	391.15	"Bee" Line 339
Sept. 24.	O. & F.	Clev., C., C. & I. Ry. (lessee).	80.20	80.20	340
Sept. 24.	O. & F.	Clev., C., C. & I. Ry.	46.69	31.69	341
Sept. 24.	O.			15.00	342
Sept. 24.	O. & F.	Clev., C., C. & I. Ry.	266.40	72.00	343
Sept. 24.	O.	Clev., C., C. & I. Ry. (lessee)		193.20	344
Sept. 24.	O. & F.	Clev., C., C. & I. Ry. owners.	2.00	2.00	345
Oct. 22.	O. & F.	Clev., Lor. & W. R. R.	164.30	164.30	346
Nov. 2.	O. & F.	Clev. & Mar. Ry.	105.80	98.10	347
		C., St. L. & K. C. Ry.	10.00	10.00	Under construction. 348
Oct. 22.	O. & F.	Clev. & Wn. R. R.	56.00	56.00	Narrow gauge 349
		C. M. Ry.	255.40	255.40	350
		C. & P. S. Ry.	44.10	44.10	Narrow gauge 351
		C. & C. M. R. R.	69.80	69.80	352
Nov. 1.	O. & F.	F. J. Picard, receiver	94.90	57.60	653
Sept. 13.	O. & F.	Cols., H. Vy. & Tol. Ry.	309.52	309.52	354
Nov. 19.	O. & F.	Columbia & Lake R. R.	22.00	22.00	Narrow gauge 355
		C. R. R.	141.11	37.03	356
		C. R. R. (lessee)		40.50	357
		C. R. R.		19.00	358
		C. R. R. (lessee)		20.21	359
		do		17.37	360
Nov. 22.	O. & F.	Connecting Ter. R. R.	1.00	1.00	In Buffalo, N. Y. 361
Oct. 3.	O. & F.	Conn. Riv. R. R.	79.85	55.85	362
Nov. 28.	O. & F.	Conn. Riv. R. R. (lessee)		24.00	363
Oct. 3.	O. & F.	Conn. Riv. R. R.	24.00	24.00	364
Oct. 3.	O. & F.		26.00	26.00	365
Sept. 5.	O. & F.	Cornwall R. R.	12.67	12.67	366
		C. & L. R. R.	22.81	22.81	367
Sept. 5.	O. & F.	Couders & Pt. All. R. R.	17.00	17.00	Narrow gauge 368
		C. & M. R. R.	105.00	105.00	Under construction. 369
Sept. 19.	O. & F.	Craw. & Man. Riv. Ry.	10.00	10.00	Lumber road; narrow gauge. 370
Sept. 20.	O. & F.	Crook'd C. R. R. & C. Co.	23.20	9.70	371
Sept. 20.	O.	do		13.50	372
Oct. 1.	O. & F.	Crystal Ry., for Crystal Glass Co.	3.50	3.50	373
		C. & Pa. R. R., for Consolidation Coal Co., owners.	55.00	55.00	374
Sept. 18.	O. & F.	C. Vy. R. R.	82.20	68.30	375
Sept. 18.	O.	C. Vy. R. R. (lessee)		13.90	376
Sept. 27.	O. & F.	C. Vy. R. R.	11.80	11.80	377

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Cumberland Valley Railroad Company—Continued. 378 Dillsburg and Mechanicsburg Railroad Company 379 Southern Pennsylvania Railway and Mining Company..... 380 Danville and New River Railroad Company..... 381 Dardanelle and Russellville Railway Company..... 382 Dayton, Fort Wayne and Chicago Railroad Company..... 383 Delaware Bay and Cape May Railroad Company..... 384 Delaware and Hudson Canal Company.....	Dillsb. & M. R. R. Sn. Penn. Ry. & M. Co. Dan. & N. R. R. Dard. & R. Ry. Dav., Ft. W. & C. R. R. D. Bay & C. M. R. R. D. & H. C. Co.
	385 Plymouth and Wilkesbarre Railroad and Bridge Com- pany. 386 Union Railroad Company..... 387 Albany and Susquehanna Railroad Company..... 388 Cherry Valley, Sharon and Albany Railroad Com- pany.	P. & W. R. R. & Bridge Co. Union R. R. A. & S. R. R. Cher. Vy., S. & A. R. R.
	389 Schoenectady and Dutchessburgh Railroad Company..... 390 New York and Canada Railroad Company..... 391 Rensselaer and Saratoga Railroad Company..... 392 Albany and Vermont Railroad Company..... 393 Glens Falls Railroad Company..... 394 Mechanicsville and Fort Edward Railroad Com- pany.	Schen. & Duan. R. R. N. Y. & Can. R. R. R. & S. R. R. Alb. & Vt. R. R. G. F. R. R. Moh'n. & Ft. E. R. R.
	395 Rutland and Whitehall Railroad Company..... 396 Saratoga and Schoenectady Railroad Company..... 397 West Troy and Green Island Railroad Company..... 398 Delaware, Lackawanna and Western Railroad Company..... 399 Cayuga and Susquehanna Railroad Company..... 400 Chester Railroad Company.....	Rutland & W. R. R. S. & S. R. R. W. T. & G. I. R. R. D. L. & W. R. R. Cayuga & S. R. R. Chester R. R.
	401 Greene Railroad Company..... 402 Morris and Essex Railroad Company..... 403 Newark and Bloomfield Railroad Company.....	Greene R. R. Morris & E. R. R. Newark & B. R. R.
	404 New York, Lackawanna and Western Railroad Com- pany. 405 Oswego and Syracuse Railroad Company..... 406 Passaic and Delaware Railroad Company..... 407 Utica, Chenango and Susquehanna Valley Railway Company.	N. Y., L. & Wn. Ry. Oswego & S. R. R. Pasc. & Del. R. R. Utica C. & S. V. Ry.
	408 Valley Railroad Company..... 409 Warren Railroad Company..... 410 Sussex Railroad Company..... 411 Syracuse, Binghamton and New York Railroad Com- pany.	Valley R. R. Warren R. R. Sussex R. R. Syr., B. & N. Y. R. R.
	412 Delaware River Railroad Company..... 413 Denver and Rio Grande Railroad Company..... 414 Denver and Rio Grande Western Railway Company..... 415 Denver and Scranton Railway Company.....	Del. Riv. R. R. D. & R. G. R. R. D. & R. G. Wn. R. R. Denver & S. Ry.
	416 Denver, Texas and Fort Worth Railroad Company..... 417 Denver, Texas and Gulf Railroad Company..... 418 Fort Worth and Denver City Railway Company..... 419 Des Moines and Kansas City Railway Company..... 420 Des Moines and Northwestern Railway Company..... 421 Detroit, Bay City and Alpena Railroad Company..... 422 Detroit, Lansing and Northern Railroad Company..... 423 Grand Rapids, Lansing and Detroit Railroad Company..... 424 Saginaw and Western Railroad Company..... 425 Saginaw Valley and St. Louis Railroad Company..... 426 Saginaw and Grand Rapids Railroad Company..... 427 Detroit Union Railroad Company..... 428 Duluth and Iron Range Railroad Company..... 429 Duluth, South Shore and Atlantic Railway Company.....	D., T. & Ft. W. R. R. D., T. & Gulf R. R. Ft. W. & D. City R. R. D. M. & K. C. Ry. D. M. & N. Wn. Ry. D., B. C. & A. R. R. D. L. & Nn. R. R. G. R., L. & D. R. R. Saginaw & Wn. R. R. Sagin'w Vy. & St. L. R. R. Sagin'w & G. R. R. R. Detroit Union R. R. Dul. & I. R. R. R. D., So. S. & A. Ry.
	430 Marquette, Houghton and Ontonagon Railroad Com- pany. 431 Marquette and Western Railroad Company.....	M. H. & O. R. R. Mar. & W. R. R.
	432 East Broad Top Railroad and Coal Company..... 433 Shade Gap Railroad Company..... 434 Eastern Kentucky Railway Company..... 435 East Louisiana Railroad Company..... 436 East Saint Louis Connecting Railway Company..... 437 East Tennessee, Virginia and Georgia Railway Company..... 438 Knoxville and Ohio River Railroad Company..... 439 Memphis and Charleston Railroad Company..... 440 Mobile and Birmingham Railway Company.....	E. B. T. R. R. & C. Co. S. Gap R. R. En. Ky. Ry. E. La. R. R. E. St. L. Con. Ry. E. T., Va. & Ga. Ry. Knoxville & O. R. R. R. Mem. & Chastn. R. R. M. & B. Ey. Co.

for the year ending June 30, 1888—Continued.

3	4	5	6	7
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.		<i>Miles.</i>	<i>Miles.</i>	
Sept. 25. O. & F.	Cumb. Val. R. R.	7. 70	7. 70	378
Sept. 27. O. & F.	do	21. 40	21. 40	379
Sept. 15. O. & F.	I. C. Wrenshall, receiver	75. 00	75. 00	Narrow gauge 380
.....	D. & R. Ry. Co.	4. 50	4. 50	381
.....	R. D. Marshall, receiver	258. 00	258. 00	382
.....	D. B. & C. M. R. R.	3. 00	3. 00	383
Sept. 29. O. & F.	D. & H. C. Co.	97. 39	48. 68	Delaware and Hudson Canal Company's sys- tem. 384
O.	D. & H. C. Co. (lessee) .....	.....	2. 03	385
O.	do .....	.....	19. 95	386
Sept. 17. O.	do	187. 30	9. 90	387
Sept. 29. O.	do .....	.....	21. 00	388
Sept. 29. O.	.....	.....	13. 80	389
Sept. 17. O.	D. & H. C. Co. (lessee)	150. 00	150. 00	390
Sept. 17. O.	do	195. 00	136. 00	391
Nov. 23. O.	.....	.....	12. 00	392
Sept. 29. O.	D. & H. C. Co. (lessee) .....	.....	14. 00	393
Sept. 29. O.	.....	.....	3. 00	394
Nov. 30. O.	.....	.....	7. 00	395
O.	D. & H. C. Co. (lessee) .....	.....	22. 00	396
O.	do .....	.....	1. 00	397
Sept. 29. O. & F.	D., L. & W. R. R.	888. 07	209. 91	Lackawanna system 398
Sept. 29. O.	D., L. & W. R. R. (lessee) .....	.....	34. 41	399
Sept. 29. O.	D., L. & W. R. R. (lessee M. & E. R. R.) .....	.....	10. 02	400
Sept. 29. O.	D., L. & W. R. R. (lessee) .....	.....	8. 10	401
Sept. 29. O.	do .....	.....	119. 85	402
Sept. 29. O.	D., L. & W. R. R. (lessee M. & E. R. R.) .....	.....	4. 24	403
Sept. 29. O.	D., L. & W. R. R. (lessee) .....	.....	214. 20	404
Sept. 29. O.	do .....	.....	34. 98	405
Sept. 29. O.	do .....	.....	13. 99	406
Sept. 29. O.	do .....	.....	97. 41	407
Sept. 29. O.	do .....	.....	11. 64	408
Sept. 29. O.	do .....	.....	18. 80	409
Sept. 29. O.	D. L. & W. R. R. ....	.....	29. 52	410
Sept. 29. O.	do .....	.....	81. 00	411
Oct. 3. O. & F.	D. River R. R. Co.	19. 97	19. 97	412
Oct. 3. O. & F.	D. & R. G. R. R. Co.	1, 189. 41	1, 176. 53	413
Oct. 27. O. & F.	D. & R. G. W. Ry. Co.	368. 00	368. 00	Narrow gauge 414
.....	Denver R. R. Land & Coal Co., owners	17. 00	17. 00	do 415
.....	D., T. & Ft. W. R. R. Co.	150. 00	150. 00	Texas Panhandle system 416
.....	D., T. & Ft. W. R. R. Co. (lessee)	138. 06	138. 06	417
.....	do	450. 00	450. 00	418
.....	D. M. & K. C. Ry.	111. 00	111. 00	Narrow gauge 419
Dec. 5. O. & F.	D. M. & N. Wn. Ry.	113. 60	113. 60	do 420
Sept. 28. O. & F.	D., B. C. & A. R. R.	197. 40	197. 40	421
Sept. 28. O.	D., L. & N. R. R.	268. 17	221. 57	422
Sept. 28. O.	D., L. & N. R. R. (lessee)	52. 80	52. 80	423
Sept. 28. O.	.....	.....	42. 60	424
Sept. 28. O. & F.	D., L. & N. R. R.	39. 10	35. 50	425
Sept. 28. O.	D., L. & N. R. R. (lessee) .....	.....	3. 60	426
.....	.....	3. 33	3. 33	427
Oct. 3. O. & F.	D. & I. R. R. R.	94. 75	94. 75	428
Nov. 5. O. & F.	D., So. S. & A. Ry.	353. 68	199. 70	"Soo Mackinaw Short Line." 429
Nov. 5. O.	D., So. S. & A. Ry. (lessee) .....	.....	130. 97	430
Nov. 5. O.	D., So. S. & A. Ry. (lessee M. H. & O. R. R.) .....	.....	23. 01	431
Nov. 5. O. & F.	E. B. T. R. R. & C. Co.	37. 21	30. 00	Narrow gauge 432
Nov. 5. O.	E. B. T. R. R. & C. Co. (lessee) .....	.....	7. 21	433
Nov. 12. O. & F.	En. Ky. Ry. Co.	35. 13	35. 13	434
Sept. 13. O. & F.	E. La. R. R. Co.	23. 40	23. 40	435
Oct. 11. O. & F.	E. St. L. Con. Ry. Co.	20. 80	2. 00	436
Oct. 3. O. & F.	E. T., Va. & Ga. Ry. Co.	1, 045. 00	1, 045. 00	437
Oct. 8. O. & F.	do	65. 50	65. 50	438
Oct. 3. O. & F.	do	330. 00	330. 00	439
.....	do	150. 00	150. 00	440

TABLE I.—Classification of railways and mileage

1	2
Name of carrier.	Abbreviated name of road.
441 East Tennessee and Western North Carolina Railroad Company.	E. T. & Wn. N. C. R. R.
442 East and West Railroad Company of Alabama.	E. & W. R. R. of Ala.
443 Edgewood Railroad Company.	Edgewood R. R.
444 Eel River and Eureka Railroad Company.	E. R. & E. R. R.
445 Elmira, Cortland and Northern Railroad Company.	Elmira, C. & N. R. R.
446 Canal Railroad Company.	Canal R. R.
447 Canastota Northern Railroad Company.	C. Nor. R. R.
448 Erie and Wyoming Valley Railroad Company.	Erie & Wyo. Vy. R. R.
449 Eureka and Palisade Railroad Company.	Eureka & P. R. R.
450 Eureka Springs Railway Company of Missouri and Arkansas.	Eureka Spgs. R. R.
451 Eutawville Railroad Company.	Eutawville R. R.
452 Evansville and Terre Haute Railroad Company.	Evansv. & T. H. R. R.
453 Evansville and Indianapolis Railroad Company.	Evansv. & I. R. R.
454 Peoria, Decatur and Evansville Railroad Company.	Peoria, D. & E. R. R.
455 Peoria and Pekin Union Railroad Company.	P. & P. U. R. R.
456 Fall Brook Coal Company.	Fall Bk. C. Co.
457 Corning, Cowanesque and Antrim Railway Company.	Corn'g C. & A. Ry.
458 Pine Creek Railway Company.	Pine C'k Ry.
459 Syracuse, Geneva and Corning Railway Company.	Syr. G. & C. Ry.
460 Ferro Monte Railroad Company.	Ferro Monte R. R.
461 Fitchburg Railroad Company.	Fitch. R. R.
462 Boston, Hoosac Tunnel and Western Railway Company.	B. H. T. & W. Ry.
463 Peterboro and Shirley Railroad Company.	P. & S. R. R.
464 Southern Vermont Railroad Company.	So. Vt. R. R.
465 Troy and Bennington Railroad Company.	T. & Benn. R. R.
466 Troy and Boston Railroad Company.	T. & B. R. R.
467 Troy, Saratoga and Northern Railroad Company.	T. S. & N. R. R.
468 Vermont and Massachusetts Railroad Company.	Vt. & Mass. R. R.
469 Flint and Pere Marquette Railroad Company.	Flint & P. M. R. R.
470 Florida Midland Railway Company.	Flo. Mid. Ry.
471 Florida Railway and Navigation Company.	F. R. & N. Co.
472 Florida Southern Railway Company.	Fla. Sn. Ry.
473 St. Johns and Lake Eustis Railway Company.	St. Johns & L. E. Ry.
474 Fonda, Johnstown and Gloversville Railroad Company.	Fonda, J. & G. R. R.
475 Fort Madison and North Western Railway Company.	Ft. Mad. & N. Wn. Ry.
476 Fort Wayne, Cincinnati and Louisville Railroad Company.	Ft. W. C. & L. E. R. R.
477 Fort Worth and Rio Grande Railway.	F. W. & Rio G. Ry.
478 Franklin and Megantic Railroad Company.	F. & Meg. R. R.
479 Freehold and New York Railway Company.	F. & N. Y. Ry.
480 Fulton County Narrow Gauge Railway Company.	F. Co. N. G. Ry.
481 Fulton County Extension Railroad Company.	F. Co. Ex. R. R.
482 Gainesville and Dahlonga Railroad Company.	G. & D. R. R.
483 Galveston, Sabine and St. Louis Railway Company.	G., Sabine & St. L. Ry.
484 Georgia Railroad and Banking Company.	G. R. R. & Bkg. Co.
485 Gainesville, Jefferson and Southern Railroad Company.	G. J. & So. R. R.
486 Rome Railroad Company of Georgia.	Rome R. R. of Ga.
487 Georgia Midland and Gulf Railroad Company.	Ga. Mid. & G. R. R.
488 Georgia Pacific Railway Company.	Ga. Pac. Ry.
489 Georgetown and Western Railroad Company.	Geotown & Wn. R. R.
490 George's Creek and Cumberland Railroad Company.	G. C. & Cum. R. R.
491 Pennsylvania Railroad in Maryland.	Pa. R. R. in Md.
492 Gettysburg and Harrisburg Railroad Company.	G'burg & H. R. R.
493 South Mountain Railway and Mining Company.	S. M. Ry. & M. Co.
494 Grafton and Upton Railroad Company.	G. & U. R. R.
495 Grand Tower and Carbondale Railroad Company.	G. Tower & C. R. R.
496 Grand Trunk Railway Company.	G. T. Ry.
497 Chicago and Grand Trunk Railway Company.	Chic. & G. T. Ry.
498 Grand Trunk Junction Railway Company.	Grand T. J. Ry.
499 Detroit, Grand Haven and Milwaukee Railroad Company.	Det. G. H. & M. R. R.
500 Toledo, Saginaw and Muskegon Railway Company.	Tol., Sag. & Musk. Ry.
501 Grass Lake and Manistee River Railroad Company.	Grass L. & M. R. R. R.
502 Green Bay, Winona, and St. Paul Railroad Company.	Green Bay, W. & St. P. R. R.
503 Green Bay, Stevens' Point and Northern Railroad Company.	
504 Green Mountain Railroad Company.	
505 Greenlick Narrow Gauge Railway Company.	Greenlick N. G. Ry.
506 Green Pond, Walterboro and Branchville Railway Company.	Green Pond, W. & B. Ry.

for the year ending June 30, 1888—Continued.

3		4	5	6	7
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.			<i>Miles.</i>	<i>Miles.</i>	
Oct. 16.	O. & F.	E. T. & Wn. N. C. R. R. Co.	34. 00	34. 00	441
Sept. 24.	O. & F.	E. & W. R. R. Co. of Ala.	117. 60	117. 60	Narrow gauge 442
Sept. 5.	O. & F.	Edgewood Coal Co.	1. 00	1. 00	Coal road 443
		Eel R. & E. R. R. Co.	25. 00	25. 00	444
Dec. 5.	O. & F.	Elmira, C. & N. R. R. Co.	139. 43	118. 70	445
Dec. 5.	O.	Elmira, C. & N. R. R. Co. (les- see).		5. 28	446
Dec. 5.	O.	do.		20. 73	447
Oct. 9.	O. & F.	E. & Wyo. Vv. R. R. Co.	78. 25	77. 00	448
Sept. 17.	O. & F.	Eureka & P. R. R. Co.	84. 00	84. 00	Narrow gauge 449
Oct. 9.	O. & F.	Eureka Spgs. R. R. Co.	18. 50	18. 50	450
		Eutawv. R. R. Co.	34. 75	34. 75	451
Sept. 18.	O. & F.	Evansv. & T. H. R. R. Co.	155. 80	155. 80	452
Sept. 18.	O. & F.	do.	145. 50	133. 70	453
Sept. 18.	O. & F.	do.	240. 77	240. 77	454
		Evansv. & T. H. R. R. Co. op- erating P. D. & E. R. R.	18. 10	18. 10	455
Sept. 5.	O.	Fall Bk. C. Co.	231. 12		456
Sept. 17.	O. & F.	Fall Bk. C. Co. (lessee)		92. 14	457
Sept. 17.	O. & F.	do.		74. 80	458
Oct. 6.	O. & F.	do.		64. 18	459
Nov. 6.	O. & F.	Ferro Monte R. R. Co.	2. 05	2. 05	Narrow gauge 460
Nov. 26.	O. & F.	Fitch. R. R. Co.	369. 08	299. 05	Hoosac Tunnel route 461
Nov. 26.	O.	do.			462
Nov. 26.	O.	do.			463
Nov. 26.	O.	Fitch. R. R. Co. (lessee)		6. 19	464
Nov. 26.	O.	do.		5. 04	465
Nov. 26.	O.	Fitch. R. R. Co.			466
Nov. 26.	O.	do.			467
Nov. 26.	O.	Fitch. R. R. Co. (lessee)		58. 80	468
Nov. 13.	O. & F.	Flint & P. M. R. R. Co.	363. 57	363. 57	469
		Flo. Mid. Ry. Co.	27. 00	27. 00	470
		Flo. Ry. & Nav. Co.	576. 37	576. 37	471
Nov. 12.	O. & F.	Flo. Sn. Ry. Co.	241. 50	241. 50	Narrow gauge 472
Nov. 12.	O. & F.	do.	48. 00	48. 00	do 473
Oct. 25.	O. & F.	Fonda, J. & G. R. R. Co.	26. 17	26. 17	474
Nov. 1.	O. & F.	Charles A. Gilchrist, receiver. Ft. W. C. & L. R. R. Co.	45. 00	45. 00	Narrow gauge 475
		Ft. W. C. & L. R. R. Co.	128. 18	128. 18	476
		Ft. W. & R. G. Ry.	40. 00	40. 00	Under construction 477
		F. & M. R. R.	17. 00	17. 00	Narrow gauge 478
		F. & N. Y. Ry. Co.	14. 60	14. 60	479
		F. C. N. G. Ry. Co.	61. 00	28. 00	Narrow gauge 480
		F. C. N. G. Ry. Co. (lessee)		33. 00	481
		J. M. Duncan, receiver Ga. R. R. & Bkg. Co.	26. 00	26. 00	482
Nov. 24.	O. & F.	G. J. & Sn. R. R. Co. for Ga. R. R. & Bkg. Co.	393. 00	303. 00	483
		Rome R. R. Co. for Ga. R. R. & Bkg. Co.	65. 00	65. 00	Narrow gauge 484
Nov. 13.	O. & F.	Rome R. R. Co. for Ga. R. R. & Bkg. Co.	19. 00	19. 00	485
Sept. 8.	O. & F.	Ga. M. & G. R. R.	98. 00	98. 00	486
Sept. 5.	O. & F.	Ga. Pac. Ry.	375. 20	375. 20	487
Nov. 5.	O. & F.	G. & W.	36. 00	36. 00	488
		G. C. & C. R. R.	31. 66	24. 88	489
		G. & H. R. R. Co.		6. 35	490
		do.	42. 38	24. 60	491
		do.		17. 78	492
		G. & U. R. R. Co.	3. 00	3. 00	Narrow gauge 493
		G. T. & C. R. R.	26. 20	26. 20	494
		G. T. Ry.	169. 25	169. 25	In Maine, New Hamp- shire, and Vermont. 495
Oct. 8.	O. & F.	C. & G. T. Ry. for G. T. Ry.	335. 27	330. 50	496
Oct. 8.	O. & F.	C. & G. T. Ry.		3. 90	497
Oct. 8.	O. & F.	D., G. H. & M. for G. T. Ry.	189. 00	189. 00	498
		do.	95. 80	95. 80	499
Nov. 17.	O. & F.	G. L. & M. R. R. R.	8. 00	8. 00	Logging road; narrow gauge. 500
Sept. 20.	O. & F.	G. B., W. & St. P. R. R.	249. 60	215. 80	501
Sept. 20.	O.	G. B., W. & St. P. R. R. (les- see).		6. 00	502
			1. 14	1. 14	Narrow gauge 503
Oct. 31.	O. & F.		4. 00	4. 00	do 504
Oct. 12.	O. & F.	G. P., W. & B. Ry. Co.	12. 00	12. 00	505
					506

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
507	Greenwich and Johnsonville Railway Company.....	G. & J. Ry.....
508	Hannibal and St. Joseph Railroad Company.....	H. & St. J. R. R.....
509	Hartford and Connecticut Western Railroad Company.....	H. & C. Wn. R. R.....
510	Hecla and Torch Lake Railroad Company.....	H. & T. L. R. R.....
511	Herkimer, Newport and Poland Narrow Gauge Railway Company.....	Herkimer, N. and P. Ry.....
512	Hibernia Mine Railroad Company.....	Hibernia Mine R. R.....
513	Hobart and Manistee River Railroad Company.....	Hobart & M. R. R. R.....
514	Hodgenville and Elizabethtown Railway Company.....	Hodgenville & E. R. R.....
515	Hoosac Tunnel and Wilmington Railroad Company.....	Hoosac T. & W. R. R.....
516	Housatonic Railroad Company.....	Housatonic R. R.....
517	Berkshire Railroad Company.....	Berkshire R. R.....
518	Danbury and Norwalk Railroad Company.....	Danbury & N. R. R.....
519	Stockbridge and Pittsfield Railroad Company.....	Stockbridge & P. R. R.....
520	West Stockbridge Railroad Corporation.....	W. Stockbridge R. R.....
521	Houston Belt Railroad Company.....	H. Belt R. R.....
522	Houston East and West Texas Railway Company.....	Houston E. & W. T. Ry.....
523	Shreveport and Houston Railway Company.....	Shrevep't & H. Ry.....
524	Houston and Texas Central Railway Company.....	H. & T. C. Ry.....
525	Central Texas and Northwestern Railway Company..	C. T. & N. Wn. Ry.....
526	Fort Worth and New Orleans Railway Company.....	Ft. W. & N. O. Ry.....
527	Texas Central Railway Company.....	T. Cen. Ry. Co.....
528	Humeston and Shenandoah Railroad Company.....	Humeston & S. R. R.....
529	Huntingdon and Broad Top Mountain Railroad and Coal Company.....	Hunt'd'n & B. T. Mt. R. R. & C. Co.....
530	Idaho Central Railway Company.....	Ido. Cent. Ry.....
531	Illinois Central Railroad Company.....	Ill. Cent. R. R.....
532	Canton, Aberdeen and Nashville Railroad Company..	Canton, A. & N. R. R.....
533	Chicago, Havana and Western Railroad Company.....	C. H. & Wn. R. R.....
534	Chicago, St. Louis and New Orleans Railroad Company.....	C. St. L. & N. O. R. R.....
535	Chicago and Springfield Railroad Company.....	C. & S. R. R.....
536	Kankakee and Southwestern Railroad Company.....	K. & S. Wn. R. R.....
537	Rantoul Railroad Company.....	Rantl. R. R.....
538	South Chicago Railroad Company.....	S. C. R. R.....
539	Yazoo and Mississippi Valley Railroad Company.....	Y. & M. R. R.....
540	Dubuque and Sioux City Railroad Company.....	Dubq. & S. Cy. R. R.....
541	Cedar Falls and Minnesota Railroad Company.....	C. F. & Minn. R. R.....
542	Iowa Falls and Sioux City Railroad Company.....	Ia. Falls & S. Cy. R. R.....
543	Mississippi and Tennessee Railroad Company.....	Miss. & Tenn. R. R.....
544	Illinois and St. Louis Railroad and Coal Company.....	Ill. & St. L. R. R.....
545	Venice and Carondelet Railway Company.....	Venice & Car. Ry.....
546	Indiana, Illinois and Iowa Railroad Company.....	Ind., Ill. & Ia. R. R.....
547	Indiana and Illinois Southern Railroad Company.....	Ind. & Ill. Sn. R. R.....
548	Indianapolis, Decatur and Western Railway Company.....	I. D. & Wn. Ry.....
549	Indianapolis Union Railway Company.....	I. Un. Ry.....
550	Belt Railroad and Stock Yard Company.....	Belt R. R.....
551	Interstate Consolidated Rapid Transit Railway Company.....	Int. C. R. Tr. Ry.....
552	Iowa Northern Railway Company.....	Ia. Nn. Ry.....
553	Iron Railway Company.....	Iron Ry.....
554	Ironton Railroad Company.....	Ironton R. R.....
555	Island Railroad Company.....	Island R. R.....
556	Jacksonville and Atlantic Railroad Company.....	J. & A. R. R.....
557	Jacksonville, Mayport, Pablo Railway and Navigation Company.....	J., M., P. Ry. & Nav. Co.....
558	Jacksonville, St. Augustine, and Halifax River Railway Company.....	J., St. Aug. & H. R. R. R.....
559	Jacksonville Southeastern Railway Company.....	J. S. En. Ry.....
560	Chicago, Peoria, and St. Louis Railway Company.....	C., P. & St. L. Ry.....
561	Jacksonville, Tampa and Key West Railway Company.....	J., T. & K. W. Ry.....
562	Atlantic Coast, St. John's and Indian River Railway Company.....	Atl. C., St. J. & I. R. Ry.....
563	St. John's and Halifax Railroad Company.....	St. J. & H. R. R.....
564	Sanford and Lake Eustis Railroad Company.....	S. & L. E.....
565	Jamestown and Washington Railroad Company.....	J. & W. R. R.....
566	Joliet, Aurora and Northern Railway Company.....	Joliet, A. & N. Ry.....
567	Kanawha and Coal River Railroad Company.....	Kanawha & C. R. R. R.....
568	Kanawha and Ohio Railway Company.....	K. & O. Ry.....

for the year ending June 30, 1888—Continued.

3		4	5	6	7
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.			<i>Miles.</i>	<i>Miles.</i>	
Sept. 12.	O. & F.	G. & J. Ry.	14. 65	14. 65	
Oct. 8.	O. & F.	H. & St. J. R. R.	295. 24	292. 78	Controlled by C. B. & Q.
Sept. 20.	O. & F.	H. & C. Wn. R. R.	109. 75	109. 75	
			7. 50	7. 50	Narrow gauge
Oct. 22.	O. & F.	Herkimer, N. & P. R. R.	16. 73	16. 73	do
Nov. 5.	O. & F.	H. M. R. R.	5. 50	5. 50	
Sept. 15.	O. & F.		9. 24	9. 24	Lumber road; narrow gauge.
		H. & E. Ry.	11. 10	11. 10	
		H. T. & W. R. R.	11. 00	8. 00	Narrow gauge
Sept. 19.	O. & F.	H. R. R.	162. 87	80. 07	
Sept. 5.	O. & F.	H. R. R. (lessee)		21. 03	
Sept. 19.	O. & F.	do		36. 20	
Sept. 5.	O. & F.	do		22. 93	
Sept. 8.	O. & F.	do		2. 64	
Oct. 22.	O. & F.	M. G. Hower, receiver	192. 00	192. 00	Under construction.
(†)	O. & F.		40. 00	40. 00	Narrow gauge
		U. S. Easton, C. Dillingham, James Rantoul, receivers.	520. 55	520. 55	do
		Same receivers as above.	12. 00	12. 00	Under construction.
		do	41. 00	41. 00	
		B. G. Clarke and C. Dillingham, receivers.	228. 60	228. 60	
Nov. 7.	O. & F.	C. B. & Q. and W. St. L. & P. jointly.	95. 45	95. 45	
Oct. 18.	O. & F.	H. & B. T. Mt. R. R.	64. 20	64. 20	
		Idh. Cent. Ry. Co.	20. 00	20. 00	
Oct. 11.	O. & F.	Ill. Cent. R. R.	1, 952. 96	705. 50	Illinois Central system.
Oct. 11.	O.	Ill. Cent. R. R. (lessee)		88. 36	
Oct. 11.	O.	do		131. 62	
Oct. 11.	O.	Ill. Cent. R. R.		565. 20	
Oct. 11.	O.	Ill. Cent. R. R. (lessee)		111. 47	
Oct. 11.	O.	do		131. 26	
Oct. 11.	O.	Ill. Cent. R. R.		74. 43	
Oct. 11.	O.	do		4. 76	
Oct. 11.	O.	do		140. 36	
Oct. 12.	O. & F.	D. & S. C. R. R. for Ill. Cent. R. R.	218. 47	142. 89	
Oct. 12.	O.	do		75. 58	
Oct. 11.	O. & F.	Ia. F. & S. C. R. R. for Ill. Cent. R. R.	183. 69	183. 69	
Oct. 12.	O. & F.	Miss. & Tenn. R. R. for Ill. Cent. R. R.	100. 00	100. 00	
Oct. 18.	O. & F.	Ill. & St. L. R. R.	25. 00	19. 00	
Oct. 18.	O.	do		6. 00	
Sept. 20.	O. & F.	Ind., Ill. & Ia. R. R.	118. 19	118. 19	
		Ind. & Ill. Sn. R. R.	91. 00	91. 00	
Nov. 28.	O. & F.	I. D. & Wn. Ry.	152. 50	152. 50	
		I. U. Ry.	17. 52	8. 23	
		I. U. Ry. (lessee)		14. 29	
		I. C. R. Tr. Ry. Co.	3. 60	3. 60	
Sept. 5.	O. & F.	Ia. Nn. Ry.	5. 93	5. 93	
Oct. 31.	O. & F.	Iron Ry.	20. 00	20. 00	
Sept. 5.	O. & F.	I. R. R.	9. 00	9. 00	
Nov. 1.	O. & F.	Ia. R. R.	1. 14	1. 14	
Oct. 12.	O. & F.	J. & A. R. R. Co.	16. 25	16. 25	Narrow gauge
		J. M., P. Ry. & Nav. Co.	20. 00	20. 00	
		J., St. A. & H. R. R. R. Co.	35. 90	35. 90	Narrow gauge
		J. S. En. Ry. Co.	134. 30	134. 30	
		do	120. 00	120. 00	
		J., T. & K. W. Ry. Co.	255. 00	136. 50	
		do		37. 00	
		do		52. 00	Narrow gauge
		do		29. 50	
		J. & W. R. R. Co.	22. 57	22. 57	
Nov. 30.	O. & F.	J., A. & N. Ry. Co.	21. 36	21. 36	
Oct. 22.	O. & F.	Kanawha & C. R. R. Co.	13. 00	13. 00	
		K. & O. Ry. Co.	145. 00	127. 00	

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
569	Kansas City Belt Railway Company.....	Kan. Cy. B. Ry.....
570	Kansas City, Fort Scott and Memphis Railroad Company.....	Kan. Cy., Ft. S. & M. R. R.....
571	Current River Railroad Company.....	Current Riv. R. R.....
572	Kansas City, Clinton and Springfield Railway Company.....	Kan. Cy., C. & S. Ry.....
573	Kansas City, Memphis and Birmingham Railroad Company.....	Kan. Cy., M. & B. R. R.....
574	Kansas City, Independence and Park Railway Company.....	Kan. Cy., I. & P. Ry.....
575	Kansas City and Pacific Railroad Company.....	Kan. Cy. & Pac. R. R.....
576	Kansas City and Southern Railway Company.....	Kan. C. & Sn. Ry.....
577	Kansas City, Wyandotte and Northwestern Railroad Company.....	Kan. Cy. & N. W. R. R.....
578	Leavenworth Rapid Transit Railway Company.....	L. R. Tr. Ry.....
579	Kentucky and South Atlantic Railway Company.....	Ken. & S. Atl. Ry.....
580	Kentucky Union Railway Company.....	Ken. Un. Ry.....
581	Keokuk and Western Railroad Company.....	Keokuk & Wn. R. R.....
582	Centerville, Moravia and Albia Railroad Company.....	Centerville M. & A. R. R.....
583	Keystone Coal Company's Railroad.....	Keystone C. Co.'s R. R.....
584	Kingwood and Tunnelton Railway Company.....	K. & T. Ry.....
585	Knox and Lincoln Railroad Company.....	Knox & L. R. R.....
586	Knoxville and Augusta Railroad Company.....	K. & A. R. R.....
587	Knoxville and New River Railroad Company.....	K. & N. R. R.....
588	Lackawanna and Pittsburgh Railroad Company.....	Lack. & P. R. R.....
589	Rochester, New York and Pennsylvania Railroad Company.....	R., N. Y. & Pa. R. R.....
590	Lake Chaplain and Moriah Railroad Company.....	Lake Champ. & M. R. R.....
591	Lake County Railroad Company.....	Lake Co. R. R.....
592	Lake Erie, Alliance and Southern Railway Company.....	Lake Erie, A. & S. Ry.....
593	Lake Erie and Western Railroad Company.....	Lake Erie & Wn. R. R.....
594	Lake George and Muskegon River Railroad Company.....	Lake George & M. R. R. R.....
595	Lake Shore and Michigan Southern Railway Company.....	L. S. & M. S. Ry.....
596	Detroit, Hillsdale and Southwestern Railway Company.....	D., H. & S. W. Ry.....
597	Detroit, Monroe and Toledo Railroad Company.....	D., M. & T. R. R.....
598	Fort Wayne and Jackson Railroad Company.....	F. W. & J. R. R.....
599	Jamestown and Franklin Railroad.....	J. & F. R. R.....
600	Kalamazoo, Allegan and Grand Rapids Railroad Company.....	K., A. & G. R. R. R.....
601	Kalamazoo and White Pigeon Railroad Company.....	K. & W. P. R. R.....
602	Mahoning Coal Railroad Company.....	Mahoning Coal R. R.....
603	Northern Central Michigan Railroad Company.....	N. C. Mich. R. R.....
604	Lakeside and Marblehead Railroad Company.....	Lakeside & M. R. R.....
605	Laurel Fork and Sand Hill Railroad Company.....	Lau't Fork & S. H. R. R.....
606	Lehigh and Hudson River Railway Company.....	Lehigh & H. R. Ry.....
607	Lehigh Valley Railroad Company.....	L. V. R. R.....
608	Pennsylvania and New York Connection Company.....	Pa. & N. Y. Con. Co.....
609	Geneva, Ithaca and Sayre Railroad Company.....	Geneva, I. & S. R. R.....
610	Hoyt's Corners, Ovid and Willard Railroad Company.....	H. C., O. & W. R. R.....
611	Pennsylvania and New York Canal and Railroad Company.....	P. & N. Y. Canal & R. R.....
612	Southern Central Railroad Company.....	So. Cen. R. R.....
613	Ithaca, Auburn and Western Railroad Company.....	I., A. & W. R. R.....
614	Loyalsack Railroad Company.....	Loyalsack R. R.....
615	State Line and Sullivan Railroad Company.....	S. Line & S. R. R.....
616	Waverly and State Line Railroad Company.....	W. & S. Line R. R.....
617	Wilkesbarre and Harvey's Lake Railroad Company.....	W. & H. Lake R. R.....
618	Ligonier Valley Railroad Company.....	Ligonier Valley R. R.....
619	Little Saw Mill Run Railroad Company.....	Little S. M. R. R.....
620	Long Island Railroad Company.....	L. I. R. R.....
621	Brooklyn and Montauk Railroad Company.....	B. & Montauk R. R.....
622	Long Island City and Flushing Railroad Company.....	L. I. C. & F. R. R.....
623	New York and Flushing Railroad Company.....	N. Y. & F. R. R.....
624	New York and Long Beach Railroad Company.....	N. Y. & L. Beach R. R.....
625	New York, Brooklyn and Manhattan Railroad Company.....	N. Y., B. & M. R. R.....
626	Glendale and East River Railroad Company.....	G. & E. R. R. R.....
627	New York and Rockaway Railroad Company.....	N. Y. & R. R. R.....
628	Smithtown and Port Jefferson Railroad Company.....	S. & P. J. R. R.....
629	Stewart Railroad Company.....	Stewart R. R.....
630	Louisiana Central Railroad Company.....	La. Cen. R. R.....

for the year ending June 30, 1888—Continued.

3		4	5	6	7	
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.			Miles.	Miles.		
Sept. 20.	O. & F.	Kan. Cy. Belt Ry. Co.....	9.96	9.96	Owned by A. T. & S. F., K. C., F. S. & G. and C., M. & St. P. Ry.	569
Oct. 6.	O. & F.	K. C., Ft. S. & M. R. R. Co.	670.60	670.60		570
Sept. 20.	O. & F.	Current Riv. R. R. for K. C., Ft. S. & M. R. R.	82.19	82.19		571
Sept. 20.	O. & F.	K. C., O. & S. Ry. for K. C., Ft. S. & M. R. R.	162.63	162.63		572
Oct. 6.	O. & F.	K. C., M. & B. R. R. for K. C., Ft. S. & M. R. R.	276.21	276.21		573
Nov. 22.	O. & F.	K. C. I. and P. Ry. Co.....	8.16	8.16		574
Sept. 17.	O. & F.	K. C. & Pac. R. R. Co.....	92.77	92.77	Under construction.....	575
Dec. 2.	O. & F.	Kan. C. & S. Ry. Co.....	61.96	61.96		576
		K. C., W. & N. W. R. R. Co.....	133.47	131.47		577
		K. C., W. & N. W. R. R. Co.....		2.00		578
		Ken. & S. Atl. Ry. Co.....	19.80	19.80	Narrow gauge.....	579
		K. U. Ry. Co.....	15.00	15.00		580
Sept. 21.	O. & F.	K. & Wn. R. R. Co.....	143.00	143.00		581
Sept. 21.	O. & F.	K. & Wn. R. R. (lessee).....	24.00	24.00		582
Sept. 5.	O. & F.	Keystone Coal Co.....	5.50	5.50	Private road; narrow gauge.	583
		K. & T. Ry. Co.....	11.00	11.00	Narrow gauge.....	584
Sept. 21.	O. & F.	K. & L. R. R. Co.....	50.00	50.00		585
		K. & A. R. R. Co.....	16.82	16.82		586
		K. & New R. R. R. Co.....	20.00	20.00	Narrow gauge.....	587
		Geo. D. Chapman, receiver L. & P. R. R.				588
		Geo. D. Chapman, receiver L. & P. R. R.				589
Sept. 17.	O. & F.	L. C. & M. R. R.....	7.66	7.66	Lumber road.....	590
Nov. 5.	O. & F.	L. C. R. R.....	11.00	11.00		591
Sept. 5.	O. & F.	L. E., A. & S. Ry.....	61.00	61.00		592
Sept. 24.	O. & F.	L. E. & W. R. R.....	583.74	580.56		593
		L. G. & M. Riv. R. R.....	20.00	20.00		594
Sept. 22.	O. & F.	L. S. & M. S. Ry.....	1,341.38	859.15	Lake Shore system.....	595
Sept. 22.	O.	L. S. & M. S. Ry. (lessee).....		65.20		596
Sept. 22.	O.	L. S. & M. S. Ry.....		62.36		597
Sept. 22.	O.	L. S. & M. S. Ry. (lessee).....		97.83		598
Sept. 22.	O.	do.....		50.91		599
Sept. 22.	O.	do.....		58.42		600
Sept. 22.	O.	L. S. & M. S. Ry.....		36.57		601
Sept. 22.	O.	L. S. & M. S. Ry. (lessee).....		42.06		602
Sept. 22.	O.	L. S. & M. S. R. Ry.....		61.14		603
Nov. 30.	O. & F.	L. & M. R. R.....	7.35	7.35		604
Oct. 11.	O. & F.	L. F. & S. H. R. R.....	5.00	5.00		605
Oct. 10.	O. & F.	L. & H. R. R. R.....	63.00	63.00		606
Oct. 29.	O. & F.	L. V. R. R.....	348.42	338.89		607
Oct. 29.	O.	do.....		9.53	Lehigh system.....	608
Oct. 29.	O. & F.	L. V. R. R.....	117.39	113.56		609
Oct. 29.	O.	do.....		3.83		610
Oct. 29.	O. & F.	do.....	327.45	131.98		611
Oct. 29.	O.	do.....		114.00		612
Oct. 29.	O.	do.....		37.72		613
Oct. 29.	O.	do.....		6.16		614
Oct. 29.	O.	do.....		24.00		615
Oct. 29.	O.	do.....		.89		616
Oct. 29.	O.	do.....		12.70		617
Nov. 30.	O. & F.	Lig. Val. R. R.....	10.50	10.50		618
Oct. 15.	O. & F.	L. I. R. R.....	360.38	158.76	Long Island system.....	619
		do.....		67.08		620
		do.....		22.04		621
		do.....		2.73		622
		do.....		9.88		623
		do.....		17.61		624
		do.....		2.70		625
		do.....		8.91		626
		do.....		19.01		627
		do.....		16.33		628
		do.....		22.00		629
		La. Cent. R. R.....	22.00	22.00		630

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
631	Louisiana North and South Railway Company	La. N. & S. R. R.
632	Louisville, Evansville and St. Louis Railroad Company ..	E. & St. L. R. R.
633	Louisville and Nashville Railroad Company	L. & N. R. R.
634	Birmingham Mineral Railroad Company	Birm. Minl. R. R.
635	Elkton and Guthrie Railroad Company	Elkton and G. R. R.
636	Glasgow Railroad Company	Glasgow R. R.
637	Henderson Bridge and Railroad Company	Henderson B. & R. Co.
638	Indiana, Alabama and Texas Railway Company	I., A. & T. Ry.
639	Louisville Railway Transfer Company	Lou. Ry. Trans.
640	Mammoth Cave Railroad Company	Mammoth C. R. R.
641	Mobile and Montgomery Railroad Company	Mobile and M. Ry.
642	Nashville and Decatur Railroad Company	Nashv. & D. R. R.
643	Nashville, Florence and Sheffield Railway Company ..	Nashv., F. & S. Ry.
644	New Orleans and Mobile Railroad Company	N. O. & M. R. R.
645	Northern Division Cumberland and Ohio Railroad Company	No. Div. Cumb. & O. R. R.
646	Owensboro and Nashville Railroad Company	Owensboro & N. Ry.
647	Pensacola and Atlantic Railroad Company	Pensacola & A. R. R.
648	Ponchartrain Railroad Company	Ponch. R. R.
649	Shelby Railroad Company	Shelby R. R.
650	Southern Division of the Cumberland and Ohio Rail- road Company	Sou. Div. Cumb. & O. R. R.
651	Southeast and St. Louis Railway Company	S. E. & St. L. Ry.
652	South and North Alabama Railroad Company	S. & N. Ala. R. R.
653	Louisville, New Albany and Chicago Railway Company ..	N. A. & C. R. R.
654	Bedford and Bloomfield Railroad Company	Bedford & B. R. R.
655	Orleans, West Baden and French Lick Springs Rail- way Company	Orls., W. B. & F. L. Spgs. Ry.
656	Louisville, New Albany and Corydon Railroad Company ..	Louisv., N. A. & Cdn. R. R.
657	Louisville, New Orleans and Texas Railway Company ..	L., N. O. & T. Ry.
658	Louisville, St. Louis and Texas Railway Company	L., St. L. & T. Ry.
659	Louisville Southern Railroad Company	Louis. So. R. R.
660	Maine Central Railroad Company	Maine Cen. R. R.
661	Belfast and Moosehead Lake Railroad Company	B. & M. Lake R. R.
662	Dexter and Newport Railroad Company	D. & N. R. R.
663	Eastern Maine Railway Company	E. Me. Ry.
664	European and North American Railway Company	E. & N. Am. Ry.
665	Maine Shore Line Railroad Company	Me. Shore L. R. R.
666	Manistee and Luther Railway Company	Manistee & L. Ry.
667	Mansfield Railway and Transportation Company	Mans. Ry. & Trans. Co.
668	Maricopa and Phenix Railroad Company	Maricopa & P. R. R.
669	Marietta, Columbus and Northern Railroad Company ..	M., C. & N. R. R.
670	Marietta and North Georgia Railway Company	M. & No. Ga. Ry.
671	Martha's Vineyard Railroad Company	Martha's Vin. R. R.
672	Maryland Central Railroad Company	Md. Cen. R. R.
673	State Ridge and Delta Railroad Company	S. R. & D. R. R.
674	Mason City and Fort Dodge Railroad Company	Mason Cy. & Ft. D. R. R.
675	Mason and Oceana Railroad Company	Mason & O. R. R.
676	Meadville and Linesville Railway Company	M. & L. Ry.
677	Mecosta Railroad Company	Mecosta R. R.
678	Meherin Valley Railway Company	Meherin Vy. Ry.
679	Memphis and Little Rock Railroad Company	M. & L. R. R.
680	Meriden and Cromwell Railroad Company	M. & C. R. R.
681	Meriden and Waterbury Railroad Company	M. & W. R. R.
682	Michigan Central Railroad Company	M. C. R. R.
683	Canada Southern Bridge Company	Can. So. B. Co.
684	Detroit and Bay City Railroad Company	D. & B. C. R. R.
685	Saginaw Bay and Northwestern Railroad Company	S. Bay & N. W. R. R.
686	Grand River Valley Railroad Company	Grand R. Vy. R. R.
687	Jackson, Lansing and Saginaw Railroad Company	J., L. & S. R. R.
688	Joliet and Northern Indiana Railroad Company	Joliet & Nn. Ind. R. R.
689	Kalamazoo and South Haven Railroad Company	K. & S. H. R. R.
690	Michigan Air Line Railway Company	Mich. Air Line Ry.
691	Michigan Midland and Canada Railroad Company	Mich. Mid. & C. R. R.
692	Toledo, Canada Southern and Detroit Railway Company	Tol., Can. Sn. & D. Ry.
693	Midland Railway Company of Indiana	Mid. Ry. Co. of Ind.
694	Middleburgh and Schoharie Railroad Company	M. & Schoharie R. R.
695	Schoharie Valley Railway Company	Schoharie Vy. Ry.
696	Milwaukee, Lake Shore and Western Railway Company ..	M., L. S. & W. Ry.
697	St. Paul, Eastern Grand Trunk Railway Company	St. P., E. G. T. Ry.
698	Milwaukee and Northern Railroad Company	Mil. & Nn. R. R.

for the year ending June 30, 1888—Continued.

3		4	5	6	7	
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.			Miles.	Miles.		
Sept. 22.	O. & F.	L. N. & S. Ry.	20.00	20.00		631
Oct. 13.	O. & F.	L. E. & St. L. R. R.	273.60	273.60		632
Oct. 13.	O. & F.	L. & N. R. R.	2,546.33	1,120.62	Louisville and Nashville system.	633
Oct. 13.	O. & F.			72.50		634
Oct. 13.	O. & F.	L. & N. R. R. (lessee).		10.92		635
Oct. 13.	O. & F.	do		10.50		636
Oct. 13.	O.			10.06		637
Oct. 13.	O.			52.74		638
Oct. 13.	O. & F.	L. & N. R. R. (lessee).		4.13		639
Oct. 13.	O. & F.	do		8.38		640
Oct. 13.	O. & F.	L. & N. R. R.		178.51		641
Oct. 13.	O. & F.	L. & N. R. R. (lessee).		119.09		642
Oct. 13.	O. & F.	L. & N. R. R.		91.33		643
Oct. 13.	O.			140.39		644
Oct. 13.	O. & F.	L. & N. R. R. (lessee).		26.72		645
Oct. 13.	O. & F.			88.49		646
Oct. 13.	O. & F.			160.28		647
Oct. 13.	O.			5.00		648
Oct. 13.	O. & F.	L. & N. R. R. (lessee).		19.10		649
Oct. 13.	O. & F.	do		30.90		650
Oct. 13.	O.			208.00		651
Oct. 13.	O. & F.			188.67		652
Oct. 6.	O. & F.	L. N. A. & C. R. R.	537.07	449.00	Narrow gauge—41.36 m.	653
Oct. 6.	O. & F.	do		41.36		654
Oct. 6.	O. & F.	do		17.70		655
Nov. 20.	O. & F.	L. N. A. & Corydon Ry.	8.50	8.50		656
		L. N. O. & T. Ry.	514.53	514.53	Mississippi Valley route.	657
		L. St. L. & T. Ry.	48.00	48.00	Under construction	658
		L. Sn. R. R. Co.	82.00	82.00	do	659
Nov. 20.	O. & F.	Maine Cen. R. R.	535.00	355.70		660
Nov. 20.	O.	Maine Cen. R. R. (lessee)		33.10		661
Dec. 12.	O. & F.	do		14.00		662
Dec. 5.	O. & F.	do		18.10		663
Nov. 30.	O. & F.	do		114.10		664
Nov. 20.	O.	Maine Cen. R. R.	41.70	41.70		665
Sept. 15.	O. & F.	Manistee & L. Ry.	59.25	59.25		666
Nov. 14.	O. & F.	Mans. Ry. & Trans. Co.	2.00	2.00		667
Sept. 13.	O. & F.	Maricopa & P. R. R.	34.73	34.73		668
		M. C. & N. R. R.	45.00	45.00		669
		M. & N. G. Ry.	118.00	118.00	Narrow gauge.	670
Nov. 12.	O. & F.	Martha's Vin. R. R.	8.33	8.33	do	671
		W. Gilmore and S. Spencer, receivers.	46.00	45.00	do	672
		M. Cen. Ry. (lessee).		1.00		673
Sept. 10.	O. & F.	Mason Cy. & Ft. D. R. R.	92.00	92.00		674
Nov. 10.	O. & F.	Mason & O. R. R.	34.00	34.00	Lumber road.	675
		M. & L. Ry.	20.50	20.50		676
Sept. 5.	O. & F.	Mecosta R. R.	6.50	6.50	Private road; narrow gauge.	677
Nov. 21.	O. & F.	Meherin Vv. Ry.	20.70	20.70		678
Sept. 15.	O. & F.	R. K. Dow, Watson Matthews, and Charles Moran, trustees.	132.66	132.66		679
		M. & C. R. R.	11.34	11.34		680
		M. & W. R. R.	11.60			681
Sept. 15.	O. & F.	M. C. R. R.	1,174.70	270.07	Michigan Central system; mileage in U. S. only.	682
Sept. 5.	O.	do		3.66		683
Sept. 5.	O.	do		152.35		684
Sept. 5.	O.	do		85.62		685
Sept. 15.	O. & F.	do		83.79		686
Sept. 15.	O. & F.	do		295.10		687
Sept. 15.	O. & F.	M. C. R. R. (lessee)		45.00		688
Sept. 15.	O.	do		39.50		689
Sept. 15.	O.	do		115.16		690
Sept. 5.	O. & F.	do		14.63		691
Sept. 5.	O. & F.	do		55.87		692
		Mid. Ry. of Ind.	33.39	33.39		693
		M. & S. R. R.	5.75	5.75		694
		do	4.38	4.38		695
		M. L. S. & W. Ry.	577.05	631.18		696
		M. L. S. & W. Ry. (lessee)		56.00		697
Oct. 26.	O. & F.	M. L. S. & W. Ry.	318.45	303.25		698

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
699	Minden Railroad Company.....	Minden R. R.....
700	Mineral Range Railroad Company	M. Range R. R.....
701	Minneapolis Eastern Railway Company.....	Minn. En. Ry.....
702	Minneapolis, Lyndale and Minnetonka Railway Company.....	Minn., L. & M. Ry.....
703	Minneapolis and St. Louis Railway Company	Minn. & St. L. Ry.....
704	Wisconsin, Minnesota and Pacific Railway Company.....	W., M. & Pac. Ry.....
705	Minneapolis, St. Paul and Sault Ste. Marie Railway Company.....	Minn., St. P. & S. S. M. Ry.....
706	Minneapolis Union Railway Company	Minn. Union Ry.....
707	Missouri Pacific Railway Company.....	Mo. Pac. Ry.....
708	Booneville, St. Louis and Southern Railway Company.....	B., St. L. & S.....
709	Council Grove, Osage City and Ottawa Railway Company.....	Coun. G., O. Cy. & O. Ry.....
710	Council Grove, Smoky Valley and Western Railway Company.....	Coun. G., S. V. & W. Ry.....
711	Denver, Memphis and Atlantic Railway Company.....	Den., Mem. & A. Ry.....
712	Fort Scott, Wichita and Western Railway Company.....	Ft. S., W. & Wn. Ry.....
713	Grouse Creek Railway Company.....	Grouse Ck. Ry.....
714	Interstate Railroad Company	Interstate R. R.....
715	Kanopolis and Kansas Central Railway Company.....	K. & Kan. Cent. Ry.....
716	Kansas City and Southwestern Railway Company (of Kansas).....	K. Cy. & S. Wn. Ry. of Kan.....
717	Kansas City and Southwestern Railway Company (of Missouri).....	K. Cy. & S. Wn. Ry. of Mo.....
718	Kansas and Colorado Railway Company.....	Kan. & Colo. Ry.....
719	Kansas, Nebraska and Dakota Railway Company	Kan., Neb. & Dak. Ry.....
720	Kansas Southwestern Railway Company.....	Kan. S. Wn. Ry.....
721	Le Roy and Coney Valley Air Line Railroad Company.....	Le R. & C. Vy. A. L. R. R.....
722	Missouri Pacific Railway Company in Kansas.....	Mo. Pac. Ry. in Kan.....
723	Osage Div. Mo., Kas. and Tex. Ry.....	O. Div. K. & T. Ry.....
724	Osage Valley and Southern Kansas.....	O. Vy. & So. Kan.....
725	Pacific Railway Company in Nebraska	Pac. Ry. Co. in Neb.....
726	Pueblo and State Line Railroad Company.....	Pueblo & Sta. L. R. R.....
727	Rooks County Railroad Company	Rooks County R. R.....
728	St. Louis and Emporia Railroad Company	St. L. & Emporia R. R.....
729	St. Louis, Oak Hill and Carondelet Railway Company.....	St. L., Oak H. & C. Ry.....
730	Salina, Sterling and El Paso Railway Company	Salina, S. & El P. Ry.....
731	Topeka, Salina and Western Railroad Company.....	Top., Salina & Wn. R. R.....
732	Verdigris Valley, Independence and Western Railroad Company.....	Ved. Vy., I. & Wn. R. R.....
733	Wichita and Colorado Railway Company.....	Wichita & Colo. Ry.....
734	Central Branch Union Pacific Railroad Company.....	Cnt. Br. U. P. R. R.....
735	Atchison, Colorado and Pacific Railroad Company.....	A., C. & P. R. R.....
736	Atchison, Jewell County and Western Railroad Company.....	A., J. C. & W. R. R.....
737	Little Rock and Fort Smith Railway Company.....	Little Rk. & Ft. S. Ry.....
738	Fort Smith and Van Buren Bridge Company.....	F. S. & V. B. Bridge Co.....
739	Little Rock Junction Railway Company.....	Little Rk. Jct. Ry.....
740	Missouri, Kansas and Texas Railway Company	Mo., Kan. & Tex. Ry.....
741	International and Great Northern Railroad Company.....	Intl. & Gt. N. R. R.....
742	Galveston, Houston and Henderson Railroad Company of 1882.....	Galv., H. & H. R. R.....
743	St. Louis, Iron Mountain and Southern Railway Company.....	St. L., I. M. & Sn. Ry.....
744	Sedalia, Warsaw and Southern Railway Company.....	Sedalia, W. & S. Ry.....
745	Missouri Southern Railroad Company.....	Mo. Sn. R. R.....
746	Mobile and Ohio Railroad Company.....	M. & O. R. R.....
747	St. Louis and Cairo Railroad Company.....	St. L. & C. R. R.....
748	Monson Railroad Company.....	Monson R. R.....
749	Mont Alto Railroad Company.....	Mont Alto R. R.....
750	Montana Central Railway Company.....	Montana Cnt. Ry.....
751	Montgomery and Florida Railway Company.....	M. & Fl. Ry.....
752	Montpelier and Wells River Railroad Company.....	Mont. & W. Riv. R. R.....
753	Montrose Railway Company.....	Montrose Ry.....
754	Morris County Railroad Company.....	Morris Co. R. R.....
755	Moshassuck Valley Railroad Company.....	M. Valley R. R.....
756	Mount Hope Mineral Railroad Company.....	Mount H. M. R. R.....
757	Mount Washington Railroad Company.....	Mt. Wash. R. R.....
758	Nantucket Railroad Company.....	Nantucket R. R.....

for the year ending June 30, 1888—Continued.

3	4	5	6	7	
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.		Miles.	Miles.		
.....	Minden R. R.	5.00	5.00	.....	690
.....	M. Range R. R.	17.00	17.00	Narrow gauge	700
Sept. 24. O. & F.	Minn. En. Ry.	1.60	1.50	Owned jointly by C. M. and St. P., M. and O. Ry.	701
.....	M. L. & M. Ry.	26.00	26.00	Narrow gauge	702
Nov. 22. O. & F.	W. H. Truesdale, receiver....	365.50	355.00	Part of Rock Island sys- tem.	703
Nov. 22. O.	.....do.....	216.00	216.00	.....	704
Oct. 11. O. & F.	M., St. P. & S. S. M. Ry.	787.38	787.38	"Soo" line	705
Dec. 11. O. & F.	M. U. Ry.	2.60	2.60	.....	706
Oct. 4. O. & F.	Mo. Pac. Ry.	3,030.00	1,073.00	Missouri Pacific system.	707
Oct. 4. O.	Mo. Pac. Ry. (lessee) .....	.....	44.00	.....	708
Oct. 4. O. & F.	Mo. Pac. Ry. ....	.....	70.00	.....	709
Oct. 4. O. & F.	.....do.....	.....	27.00	.....	710
Oct. 4. O. & F.	.....do.....	.....	411.00	.....	711
Oct. 4. O. & F.	.....do.....	.....	310.00	.....	712
Oct. 4. O. & F.	.....do.....	.....	25.00	.....	713
Oct. 4. O. & F.	.....do.....	.....	47.00	.....	714
Oct. 4. O. & F.	.....do.....	.....	14.00	.....	715
Oct. 4. O. & F.	.....do.....	.....	27.00	.....	716
.....	.....do.....	.....	21.00	.....	717
Oct. 4. O. & F.	.....do.....	.....	136.00	.....	718
Oct. 4. O. & F.	.....do.....	.....	130.00	.....	719
Oct. 4. O. & F.	.....do.....	.....	25.00	.....	720
Oct. 4. O. & F.	.....do.....	.....	52.00	.....	721
.....	.....do.....	.....	19.00	.....	722
.....	.....do.....	.....	54.00	.....	723
.....	.....do.....	.....	44.00	.....	724
Oct. 4. O. & F.	.....do.....	.....	73.00	.....	725
Oct. 4. O. & F.	.....do.....	.....	151.00	.....	726
Oct. 4. O. & F.	.....do.....	.....	18.00	.....	727
Oct. 4. O. & F.	.....do.....	.....	101.00	.....	728
Oct. 4. O. & F.	.....do.....	.....	6.00	.....	729
Oct. 4. O. & F.	.....do.....	.....	40.00	.....	730
Oct. 4. O. & F.	.....do.....	.....	52.00	.....	731
Oct. 4. O. & F.	.....do.....	.....	81.00	.....	732
Oct. 4. O. & F.	.....do.....	.....	47.00	.....	733
Nov. 12. O. & F.	.....do.....	388.26	100.26	.....	734
Nov. 12. O.	.....do.....	.....	254.00	.....	735
Nov. 12. O.	.....do.....	.....	34.03	.....	736
Oct. 4. O. & F.	.....do.....	170.00	167.00	.....	737
Oct. 4. O.	.....do.....	.....	3.00	.....	738
.....	.....do.....	2.00	2.00	.....	739
Oct. 4. O. & F.	.....do.....	1,612.00	1,541.00	Narrow gauge—1.24 ms.	740
Oct. 4. O.	.....do.....	775.40	775.40	.....	741
Oct. 4. O.	.....do.....	50.00	50.00	.....	742
Oct. 4. O. & F.	.....do.....	1,190.00	1,190.00	.....	743
.....	.....do.....	42.00	42.00	Narrow gauge	744
.....	Mo. Sn. R. R.	14.00	14.00	Narrow gauge	745
.....	M. & O. R. R.	687.60	527.00	Narrow gauge	746
.....	M. & O. R. R. (lessee) .....	.....	160.60	.....	747
.....	Monson R. R.	8.00	8.00	Narrow gauge	748
.....	Mont Alto R. R.	17.89	17.89	.....	749
.....	Montana Cent. Ry.	97.00	95.89	.....	750
.....	M. & Fla. Ry.	45.00	45.00	Narrow gauge	751
.....	Mont. & W. Riv. R. R.	38.20	38.20	.....	752
.....	Montrose Ry.	28.00	28.00	Narrow gauge	753
.....	M. County R. R.	12.00	12.00	.....	754
.....	M. Valley R. R.	2.00	2.00	.....	755
.....	Mount H. M. R. R.	3.88	3.88	.....	756
.....	Mt. Wash. R. R.	3.33	3.33	.....	757
Oct. 22. O. & F.	Nantucket R. R. Co.	11.00	11.00	Narrow gauge	758

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
759	Narragansett Pier Railroad Company.....	N. Pier R. R.
760	Nashville, Chattanooga and St. Louis Railway Company ..	Nash., C. & St. L. Ry.
761	Duck River Valley Railroad Company.....	Duck R. Vy. Co.
762	West Nashville Branch Railroad Company.....	W. Nash. B. R. R.
763	Natchez, Jackson and Columbus Railway Company.....	Natchez, J. & C. Ry.
764	Natchez, Red River and Texas Railroad Company	N. R. R. & T. R. R.
765	Natchitoches Railroad Company.....	Natch. R. R.
766	Nevada and California Railroad Company (so called).....	Nev. & Cal. R. R.
767	Nevada Central Railway Company.....	Nev. Cent. R. R.
768	Nevada County Narrow Gauge Railroad Company.....	Nev. C. N. G. R. R.
769	New Brunswick Railway Company.....	New Bruns. Ry.
770	Aroostook Railroad Company.....	Aroostook R. R.
771	St. John's and Maine Railway Company.....	St. J. & Me. Ry.
772	Newburg, Dutchess and Connecticut Railroad Company ..	Newburg, D. & C. R. R.
773	New Castle and Butler Railroad Company.....	New Castle & B. R. R.
774	New Castle and Shenango Valley Railroad Company.....	New Castle & S. V. R. R.
775	New Haven and Derby Railroad Company.....	N. H. & D. R. R.
776	New Jersey and New York Railroad Company.....	N. J. and N. Y. R. R.
777	Nanuet and New City Railroad Company.....	Nanuet & N. Cy. R. R.
778	Garnerville Railroad Company.....	Gar. R. R.
779	New Orleans and Carrollton Railroad Company.....	N. O. & Carr. R. R.
780	New Orleans and Gulf Railroad Company.....	N. O. & Gulf R. R.
781	New Orleans and North Eastern Railroad Company.....	New O. & N. En. R. R.
782	Newport News and Mississippi Valley Company.....	N. N. & M. V. Co.
783	Chesapeake, Ohio and Southwestern Railway Company.....	C., O. & S. W. R. Ry.
784	Elizabethtown, Lexington and Big Sandy Railroad Company.....	E., L. & B. S. R. R.
785	Kentucky Central Railway Company.....	Ky. Cen. R. R.
786	Chesapeake and Ohio Railway Company.....	C. & O. Ry.
787	New York Central and Hudson River Railroad Company.....	N. Y. C. & H. R. R. R.
788	New Jersey Junction Railroad Company.....	N. J. Junc. R. R.
789	New York and Harlem Railroad Company.....	N. Y. & H. R. R.
790	New York and Mahopac Railroad Company.....	N. Y. & M. R. R.
791	Niagara Bridge and Canandaigua Railroad Company.....	Niagara B. & C. R. R.
792	Spuyten Duyvil and Port Morris Railroad Company.....	Spuyten D. & Ft. M. R. R.
793	Troy and Greenbush Railroad Company.....	Troy R. R.
794	Troy Union Railroad Company.....	Troy Union R. R.
795	West Shore Railroad Company.....	West Shore R. R.
796	Dunkirk, Allegheny Valley and Pittsburgh Railroad Company.....	D., A. V. & P. R. R.
797	New York, Chicago and St. Louis Railroad Company.....	N. Y., C. & St. L. R. R.
798	Chicago State Line Railroad Company.....	C. State L. R. R.
799	New York, Lake Erie and Western Railroad Company.....	N. Y., L. E. & W. R. R.
800	Avon, Genesee and Mount Morris Railroad Company.....	A., G. & M. M. R. R.
801	Bergen County Railroad Company.....	Bergen Co. R. R.
802	Bergen and Dundee Railroad Company.....	Bergen & D. R. R.
803	Buffalo, Bradford and Pittsburgh Railroad Company.....	Buf. & B. P. R. R.
804	Buffalo, New York and Erie Railroad Company.....	Buf., N. Y. & E. R. R.
805	Buffalo and Southwestern Railroad Company.....	Buf. & S. W. R. R.
806	Conesus Lake Railway Company.....	Conesus Lake Ry.
807	Erie and Black Rock Railroad Company.....	Erie & B. R. R.
808	Erie International Railway Company.....	Erie Intl. Ry.
809	Goshen and Deerpark Railroad Company.....	Goshen & D. R. R.
810	Hawley Branch Railroad Company.....	Hawley Br. R. R.
811	Honedale Branch Railroad Company.....	Honedale Br. R. R.
812	Honesdale and Parke Railroad Company.....	Honesd. & P. R. R.
813	Jefferson Railroad Company.....	Jefan. R. R.
814	Lockport and Buffalo Railroad Company.....	Lockpt. & B. R. R.
815	Long Dock Company.....	Long Dock Co.
816	Middletown and Crawford Railroad Company.....	Mid. & C. R. R.
817	Montgomery and Erie Railroad Company.....	Mont. & E. R. R.
818	Newark and Hudson Railroad Company.....	Newrk. & H. R. R.
819	Newburg and New York Railroad Company.....	Newbg. & N. Y. R. R.
820	New York and Fort Lee Railroad Company.....	N. Y. & Ft. L. R. R.
821	New York Pennsylvania and Ohio Railroad Company.....	N. Y. P. & O. R. R.
822	Northern Railroad Company of New Jersey.....	N. R. R. of N. J.
823	Nyack and Northern Railroad Company.....	Nyack & Nn. R. R.

for the year ending June 30, 1888—Continued.

3		4	5	6	7	
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.			<i>Miles.</i>	<i>Miles.</i>		
Sept. 17.	O. & F.	N. Pier R. R. Co.	8.50	8.50		759
Oct. 11.	O. & F.	Nash., C. & St. L. Ry. Co.	650.21	599.09	Part of Louisville and Nashville system.	760
Oct. 11.	O.	Nash., C. & St. L. Ry. Co. (lessee).		47.92		761
Oct. 11.	O.	do		3.20		762
Sept. 5.	O. & F.	Natchez, J. & C. Ry. Co.	98.60	98.60	Narrow gauge	763
		Natchez, R. R. & T. R. R. Co.	25.00	25.00	do	764
		Natchitoches R. R. Co.	11.10	11.10		765
Sept. 5.	O. & F.	Nev. & Cal. R. R. Co.	57.75	57.75	Narrow gauge	766
Sept. 12.	O. & F.	C. W. Hinchcliffe, receiver	93.30	93.30	do	767
Nov. 30.	O. & F.	Nev. C. N. G. R. R. Co.	22.50	22.50	do	768
Oct. 18.	O. & F.	New Bruns. Ry. Co.	32.20		Mileage in United States only.	769
Oct. 18.	O.	New Bruns. Ry. Co. (lessee)		29.20		770
Oct. 18.	O.	do		3.00	do	771
Sept. 27.	O. & F.	Newburg, D. & C. R. R. Co.	58.84	58.84		772
Oct. 9.	O. & F.	New Castle & B. R. R. Co.			Private road; narrow gauge.	773
Oct. 27.	O. & F.	New Castle & S. V. R. R. Co.			Under construction	774
		N. H. & D. R. R. Co.	13.00	13.00		775
		N. J. & N. Y. R. R. Co.	36.75	31.25		776
		N. J. & N. Y. R. R. Co. (lessee)		4.50		777
		do		1.00		778
		New O. & C. R. R. Co.	17.00	17.00		779
		New O. & G. R. R. Co.	65.50	65.50		780
Sept. 15.	O. & F.	New O. & N. E. R. R. Co.	195.90	195.90	Part of "Queen and Crescent" system.	781
		N. N. & Miss. Vy. Co.	1,039.90			782
		do		398.48		783
		do		139.53		784
Nov. 27.	O. & F.	Ky. Cent. for N. N. & M. V. Co. C. & O. Ry. Co.	253.81	253.81		785
Oct. 2.	O. & F.	N. Y. C. & H. R. R. Co.	1,420.64	733.52	New York Central system.	787
Oct. 3.	O.	do		4.69		788
Oct. 3.	O.	do		128.81		789
Oct. 3.	O.	do		7.09		790
Oct. 3.	O.	do		85.93		791
Oct. 3.	O. & F.	do		6.04		792
Oct. 3.	O.	do		6.00		793
Nov. 19.	O. & F.	do	5.00	5.00	Used jointly by N. Y. C. & H. R. R. F. R. R. & D. & H. C. Co.	794
Oct. 3.	O. & F.	do		448.56		795
Oct. 6.	O. & F.	D. A. V. & P. R. R. Co. for N. Y. C. & H. R. R.	90.60	90.60		796
Sept. 24.	O. & F.	N. Y. C. & St. L. R. R. Co.	523.02	502.56	Part of Lake Shore system.	797
Sept. 24.	O.	do		9.96		798
Dec. 3.	O. & F.	N. Y. L. E. & W. R. R. Co.	1,597.72	526.28	Erie system	799
Dec. 3.	O.	do		17.70		800
Oct. 11.	O. & F.	do		9.82		801
Oct. 9.	O. & F.	do		.43		802
Oct. 9.	O. & F.	do		26.17		803
Dec. 3.	O.	do		140.25		804
Dec. 3.	O.	do		66.86		805
Oct. 9.	O. & F.	do		1.61		806
Oct. 9.	O. & F.	N. Y. L. E. & W. R. R. Co.		1.14		807
Oct. 10.	O. & F.	N. Y. L. E. & W. R. R. Co.		4.50		808
Dec. 3.	O.	do		11.64		809
Dec. 3.	O.	do		15.61		810
Dec. 3.	O.	do		8.18		811
Dec. 3.	O.	do		2.86		812
Oct. 23.	O.	do		36.51		813
Dec. 3.	O.	do		13.76		814
Dec. 3.	O.	do		2.79		815
Oct. 10.	O. & F.	do		10.22		816
Dec. 3.	O.	do		10.43		817
Nov. 5.	O. & F.	do		5.62		818
Dec. 3.	O.	do		12.64		819
Dec. 3.	O.	do		.23		820
Oct. 12.	O. & F.	do		562.00		821
Dec. 3.	O.	do		25.12		822
Dec. 3.	O.	do		4.38		823

TABLE I.—Classification of railways and mileage.

	1	2
	Name of carrier.	Abbreviated name of road.
	New York, Lake Erie and Western R. R. Co.—Continued.	
824	Paterson and Hudson Railroad Company	Pat. & H. R. R.
825	Paterson, Newark and New York Railroad Company	Pat. N. & N. Y. R. R.
826	Paterson and Romapo Railroad Company	Pat. & R. R. R.
827	Rochester and Genesee Valley Railroad Company	Roch. & G. V. R. R.
828	Suspension Bridge and Erie Junction Railroad Company	Susp. Br. & E. Jct. R. R.
829	Union Railroad Company	Union R. R.
830	New York and Greenwood Lake Railroad Company	N. Y. & G. Lake Ry.
831	Arlington Railroad Company	Arlington R. R.
832	Watchurg Branch Railroad Company	Watchurg Br. R. R.
833	New York, Lake Erie and Western Coal and Railroad Company	N. Y., L. E. & W. C. & R. R.
834	Brockport and Shawmut Railroad Company	Brook. & S. R. R.
835	Tioga Railroad Company	Tioga R. R.
836	Arnot and Pine Creek Railroad Company	A. & P. Ck. R. R.
837	Elmira State Line Railroad Company	Elmira S. L. R. R.
838	New York and Massachusetts Railway Company	N. Y. & M. E. Ry.
839	New York and New England Railroad Company	N. Y. & N. E. R. R.
840	Milford, Franklin and Providence Railroad	Mil. F. & P. R. R.
841	Norwich and Worcester Railroad Company	Nor. & Wor. R. R.
842	Rhode Island and Massachusetts Railroad Company in Massachusetts	R. I. & Mass. R. R. in Mass.
843	Rhode Island and Massachusetts Railroad Company in Rhode Island	R. I. & Mass. R. R. in R. I.
844	Rockville Railroad Company	Rockville R. R.
845	Milford and Woonsocket Railroad Company	Mil. & W. R. R.
846	New York and Northern Railroad Company	N. Y. & N. R. R.
847	New York, New Haven and Hartford Railroad Company	N. Y., N. H. & H. R. R.
848	Boston and New York Air Line Railroad	B. & N. Y. A. L. R. R.
849	Colchester Railroad Company	Colchester R. R.
850	Harlem River and Port Chester Railroad Company	H. Riv. & Pt. C. R. R.
851	Hartford and Connecticut Valley Railroad	H. & Conn. V. R. R.
852	New Haven and Northampton Railroad Company	New H. & N. R. R.
853	Holyoke and Westfield Railroad Company	H. & W. R. R.
854	Naugatuck Railroad Company	Naug. R. R.
855	Watertown and Waterbury Railroad Company	W. & W. R. R.
856	Shore Line Railroad Company	Shore L. R. R.
857	Stamford and New Canaan Railroad Company	Stamf. & N. C. R. R.
858	New York, Ontario and Western Railway Company	N. Y., Ont. & Wn. Ry.
859	Rome and Clinton Railroad Company	R. & Clinton R. R.
860	Utica, Clinton and Binghamton Railroad Company	U. C. & B. R. R.
861	New York, Philadelphia and Norfolk Railroad Company	N. Y., Phil. & N. R. R.
862	New York, Providence and Boston Railroad Company	N. Y., Prov. & B. R. R.
863	Newport and Wickford Railroad Company	N. & Wickford R. R.
864	Pawtuxet Valley Railroad Company	Pawtux. V. R. R.
865	New York, Rutland and Montreal Railroad Company	N. Y., Rut. & M. R. R.
866	New York and Sea Beach Railway Company	N. Y. & S. B. Ry.
867	Sea Beach and Brighton Railroad Company	Sea B. & B. R. R.
868	New York, Susquehanna and Western Railroad Company	N. Y., Susq. & Wn. R. R.
869	Lodi Branch Railroad Company	Lodi Br. R. R.
870	Macopin Railroad Company	M. R. R.
871	Middletown, Unionville and Water Gap Railroad Company	M., U. & W. G. R. R.
872	Passaic and New York Railroad Company	P. & N. Y. R. R.
873	New York, Woodhaven and Rockaway Railroad Company	N. Y., W. H. & R. R. R.
874	Norfolk and Ocean View Railroad and Hotel Company	Nor. & O. V. R. R. & H. Co.
875	Norfolk Southern Railroad Company	Nor. S. R. R.
876	Norfolk and Virginia Beach Railroad Company	Nor. & V. B. R. R.
877	Norfolk and Western Railroad Company	Nor. & Wn. R. R.
878	Norfolk Terminal Company	Nor. Ter. Co.
879	Northern Adirondack Railroad Company	Nn. Adir. R. R.
880	Northern California Railroad Company	Nn. Cal. R. R.
881	Northern Pacific Railroad Company	N. P. R. R.
882	Duluth and Manitoba Railroad Company	Dul. & M. R. R.
883	Duluth and Superior Short Line Railroad	Dul. & S. S. L. R. R.
884	Drummond and Phillipsburg Railroad Company	Drum. & P. R. R.
885	Fargo and Southwestern Railroad Company	Fargo & S. Wn. R. R.
886	Helena, Boulder Valley and Butte Railroad Company	Helena, B. V. & B. R. R.
887	Helena and Jefferson County Railroad Company	Helena & J. C. R. R.
888	Helena and Northern Railroad Company	Helena & Nn. R. R.
889	Helena and Red Mountain Railroad Company	Helena & R. M. R. R.

RAILROADS AND MILEAGE.

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for the year ending June 30, 1888—Continued.

3	4	5	6	7
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.		Miles.	Miles.	
Dec. 3. O.	N. Y. L. E. & Wn. R. R. Co.	12.57	12.57	Erie system 824
Nov. 5. O. & F.	do	11.32	11.32	825
Dec. 3. O.	do	15.05	15.05	826
Dec. 3. O.	do	18.40	18.40	827
Oct. 10. O. & F.	do	24.01	24.01	828
Dec. 3. O.	do	.83	.83	829
Oct. 10. O. & F.	N. Y. & G. Lake Ry. Co. for N. Y. L. E. & W. R. R.	47.37	42.09	830
Oct. 10. O. & F.	do	1.16	1.16	831
Oct. 10. O.	do	4.12	4.12	832
Oct. 10. O. & F.	N. Y. L. E. & Wn. C. & R. R. Co. for N. Y. L. E. & W. R. R.	54.07	51.07	833
Oct. 9. O. & F.	do	3.00	3.00	834
Oct. 11. O. & F.	Tioga R. R. Co. for N. Y. L. E. & W. R. R.	64.72	46.38	835
Oct. 9. O. & F.	do	11.83	11.83	836
Oct. 11. O. & F.	do	6.50	6.50	837
Sept. 26. O. & F.	N. Y. & Mass. Ry. Co	34.90	34.90	838
Oct. 13. O. & F.	N. Y. & N. E. R. R. Co.	466.84	361.24	839
Oct. 13. O.	do	4.67	4.67	840
Oct. 30. O. & F.	do	68.40	68.40	841
Oct. 13. O.	do	6.60	6.60	842
Oct. 13. O.	do	7.00	7.00	843
Oct. 13. O.	do	4.40	4.40	844
Sept. 13. O. & F.	do	15.33	15.33	845
Oct. 25. O. & F.	N. Y. & Nn. R. R. Co	54.06	54.06	846
Oct. 25. O.	N. Y. N. H. & H. R. R. Co.	508.08	141.48	847
Oct. 25. O.	do	51.50	51.50	848
Oct. 25. O.	do	3.59	3.59	849
Oct. 25. O.	do	11.50	11.50	850
Oct. 25. O.	do	46.20	46.20	851
Oct. 25. O.	do	126.31	126.31	852
Oct. 25. O.	do	10.32	10.32	853
Oct. 25. O.	do	56.55	56.55	854
Oct. 25. O.	do	4.44	4.44	855
Oct. 25. O.	do	48.53	48.53	856
Oct. 25. O.	do	7.66	7.66	857
Oct. 3. O. & F.	N. Y. Ont. & Wn. Ry. Co.	417.00	319.93	858
Oct. 3. O.	do	12.70	12.70	859
Oct. 3. O.	do	31.30	31.30	860
Oct. 24. O. & F.	N. Y. Phil. & N. R. R. Co	112.00	112.00	861
	N. Y. Prov. & B. R. R. Co	89.74	80.67	862
	do	3.40	3.40	863
	do	5.67	5.67	864
	Wm. V. Reynolds, receiver	58.00	58.00	865
	N. Y. & S. B. Ry. Co	7.30	6.00	866
	do	1.30	1.30	867
Oct. 6. O. & F.	N. Y. Susq. & Wn. R. R. Co.	154.78	134.63	868
Oct. 6. O.	do	1.75	1.75	869
Oct. 6. O.	do	1.50	1.50	870
Oct. 6. O.	do	13.90	13.90	871
Oct. 6. O.	do	3.00	3.00	872
Nov. 9. O. & F.	N. Y. W. H. & R. R. R. Co	14.25	10.75	873
Oct. 3. O. & F.	Nor. & O. V. R. R. & H. Co	8.00	8.00	Narrow gauge 874
Oct. 26. O. & F.	Nor. Sn. R. R. Co	74.02	74.02	875
Nov. 12. O. & F.	Nor. & Va. B. R. R. Co	17.80	17.80	Narrow gauge 876
Nov. 12. O.	Nor. & Wn. R. R. Co	558.80	552.87	877
Nov. 12. O.	do	5.93	5.93	878
Nov. 10. O. & F.	Nn. Adir. R. R. Co	34.00	34.00	879
Oct. 31. O. & F.	Nn. Cal. R. R. Co	26.50	26.50	880
Sept. 26. O. & F.	N. P. R. R. Co.	3,316.50	214.01	Northern Pacific sys- tem. 881
Sept. 26. O.	do	206.30	206.30	882
Sept. 26. O.	do	2.90	2.90	883
Sept. 26. O.	do	23.80	23.80	884
Sept. 26. O.	do	87.40	87.40	885
Sept. 26. O.	do	30.00	30.00	886
Sept. 23. O.	do	20.10	20.10	887
Sept. 26. O.	do	12.50	12.50	888
Sept. 26. O.	do	10.70	10.70	889

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Northern Pacific Railroad Company—Continued.	
890	James River Valley Railroad Company	Jas. Riv. Vy. R. R.
891	Jamestown and Northern Railroad Company	J. & N. R. R.
892	Little Falls and Dakota Railroad Company	L. F. & D. R. R.
893	Missoula and Bitter Root Valley Railroad Company	M. & B. R. V. R. R.
894	Northern Pacific and Cascade Railroad Company	Nn. Pac. & C. R. R.
895	North Pacific, Fergus and Black Hills Railroad Company	N. Pac., F. & B. H. R. R.
896	North Pacific, Lamoure and Missouri River Railroad Company	N. Pac., L. & M. Riv. R. R.
897	North Pacific Puget Sound Shore Railroad Company	N. Pac. P. S. S. R. R.
898	Rocky Mountains Railway Company of Montana	R. Mts. Ry. Co. of Monta.
899	St. Paul and Northern Pacific Railway Company	St. P. & N. Pac. Ry.
900	Sanborn, Cooperstown and Turtle Mountain Railroad Company	S. C. & T. Mt. R. R.
901	South Eastern Dakota Railroad Company	S. En. Dak. R. R.
902	Spokane Falls and Idaho Railroad Company	S. F. & Idh. R. R.
903	Spokane and Palouse Railway Company	S. & P. Ry.
904	North Pacific Coast Railroad Company	N. Pac. C. R. R.
905	Northwestern Railroad Company of California	N. Wn. R. R. of Cal.
906	San Rafael and San Quentin Railroad Company	San. R. & S. Q. R. R.
907	Nottingham Railroad and Iron Company	Nottingham. R. R. & I. Co.
908	Ohio, Indiana and Western Railway Company	O., Ind. & Wn. Ry.
909	Ohio and Mississippi Railway Company	O. & Miss. Ry.
910	Ohio and North Western Railroad Company	O. & N. Wn. R. R.
911	Columbus and Maysville Railroad Company	Colo. & M. R. R.
912	Ohio River Railroad Company	Ohio Riv. R. R.
913	Ohio Southern Railroad Company	O. S. R. R.
914	Ohio Valley Railway Company	O. Vy. Ry.
915	Old Colony Railroad Company	O. C. R. R.
916	Boston and Providence Railroad Company	B. & Prov. R. R.
917	Attleboro' Branch Railroad Company	Attleboro' Br. R. R.
918	Providence, Warren and Bristol Railroad Company	Prov., W. & B. R. R.
919	Chatham Railroad Company	Chatham R. R.
920	Fall River Railroad Company	Fall Riv. R. R.
921	Nantasket Beach Railroad Company	Nantasket B. R. R.
922	Fall River, Warren and Providence Railroad Company	Fall Riv. W. & P. R. R.
923	Olympia and Chehalis Valley Railway Company	Olympia & C. Vy. Ry.
924	Omaha and St. Louis Railway Company	Oma. & St. L. Ry.
925	Ontonagon and Brule River Railroad Company	Onton. & B. Riv. R. R.
926	Orange Belt Railway Company	Orange Belt Ry.
927	Oregonian Railway Company	Oregon Ry.
928	Portland and Willamette Valley Railroad Company	P. & W. Vy. Ry.
929	Oregon Pacific Railway Company	Ore. Pac. Ry.
930	Ottumwa and Kirksville Railroad Company	Ottumwa & K. R. R.
931	Owasco River Railway Company	Owasco Riv. Ry.
932	Oxford and Henderson Railroad Company	Oxford & H. R. R.
933	Pacific Coast Railway Company	Pac. Coast Ry. Co.
934	Pacific and Great Eastern Railway Company	Pac. & Gt. En. Ry.
935	Palmetto Railroad Company	Palmetto R. R.
936	Paris, Marshall and Sabine Pass Railway Company	P. M. & S. Pass Ry.
937	Paris and Peré Marquette River Railroad Company	Paris & P. M. Riv. R. R.
938	Peach Bottom Railroad Company	P. B. R. R.
939	Pennsboro' and Harrisville Kitchie County Railway Company	Pennsb. & H. R. C. Ry.
940	Pennsylvania Company	Pa. Company.
941	Cleveland and Pittsburgh Railroad Company	Clev. & Pitta. R. R.
942	Erie and Pittsburgh Railroad Company	Erie & Pitta. R. R.
943	Indianapolis and Vincennes Railroad Company	Indla. & Vin. R. R.
944	Jeffersonville, Madison and Indianapolis Railroad Company	Jeff., Mad. & I. R. R.
945	Cambridge Extension Railroad Company	Cambridge Ex. R. R.
946	Massillon and Cleveland Railroad Company	Massillon & Clev. R. R.
947	New Castle and Beaver Valley Railroad Company	N. C. & B. V. R. R.
948	North Western Ohio Railway Company	N. Wn. O. Ry.
949	Pittsburgh, Fort Wayne and Chicago Railway Company	Pitta., Ft. W. & Chic. Ry.
950	Pittsburgh, Youngstown and Ashtabula Railroad Company	Pitta., Y. & Ash. R. R.
951	Chicago, St. Louis and Pittsburgh Railroad Company	C., St. L. & P. Ry.
952	Cincinnati and Muskingum Valley Railway Company	Cin. & Musk. Vy. Ry.
953	East St. Louis and Carondelet Railway Company	Ea. St. L. & C. Ry.

for the year ending June 30, 1888—Continued.

3	4	5	6	7
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.		<i>Miles.</i>	<i>Miles.</i>	
Sept. 26. O.	N. P. R. R. Co.....	64.20	64.20	Northern Pacific system. 890
Sept. 26. O.	.....do.....	102.50	102.50	891
Sept. 26. O.	.....do.....	87.80	87.80	892
Sept. 26. O.	.....do.....	35.60	35.60	893
Sept. 26. O.	.....do.....	10.40	10.40	894
Sept. 26. O.	.....do.....	117.10	117.10	895
Sept. 26. O.	.....do.....		21.30	896
Sept. 26. O.	.....do.....		7.00	897
Sept. 26. O.	.....do.....		55.30	898
Sept. 26. O.	.....do.....		127.20	899
Sept. 26. O.	.....do.....		38.60	900
Sept. 26. O.	.....do.....		8.90	901
Sept. 26. O.	.....do.....		13.60	902
Sept. 26. O.	.....do.....		43.70	903
Nov. 19. O. & F.	N. Pac. Coast R. R. Co.....	86.25	75.25	Narrow gauge 904
Nov. 19. O.	.....do.....		7.50	905
Nov. 19. O.	.....do.....		3.50	906
	Nottingham R. R. & I. Co.....	3.50	3.50	Narrow gauge 907
Oct. 8. O. & F.	O. Ind. & Wn. Ry. Co.....	342.00	342.00	908
Oct. 4. O. & F.	O. & Miss. Ry. Co.....	616.25	616.25	909
Oct. 11. O. & F.	O. & N. Wn. R. R. Co.....	121.50	102.50	910
Oct. 11. O.	.....do.....		19.00	911
Nov. 12. O. & F.	O. Riv. R. R. Co.....	215.00	215.00	912
Oct. 8. O. & F.	O. Sn. R. R. Co.....	118.25	118.25	913
Oct. 15. O. & F.	O. Vy. Ry. Co.....	98.00	98.00	914
Sept. 20. O. & F.	O. C. R. R. Co.....	564.94	471.01	Old Colony system. 915
Sept. 20. O.	O. C. R. R. Co. (lessee)		63.75	916
Sept. 20. O.	O. C. R. R. Co. (lessee B P.).		4.00	917
	.....do.....	14.10	14.10	918
Sept. 20. O. & F.	O. C. R. R. Co.....		7.00	919
Sept. 20. O.	.....do.....		12.25	920
Sept. 20. O. & F.	.....do.....		6.93	921
Sept. 22. O. & F.	.....do.....	5.79	5.79	922
	Olympia & C. Vy. Ry. Co.....	15.50	15.50	Narrow gauge 923
Sept. 22. O. & F.	Oma. & St. L. Ry. Co.....	145.00	145.00	924
Nov. 15. O. & F.	Onton. & B. Riv. R. R. Co.....	20.00	20.00	925
	Orange Belt Ry. Co.....	151.10	151.10	Narrow gauge 926
	C. N. Scott, receiver	182.00	152.40	do 927
	C. N. Scott, receiver Oreg. Ry.		29.60	928
	Ore. Pac. Ry. Co.....	101.00	101.00	929
	Ottumwa & K. R. R. Co.....	12.00	12.00	930
Sept. 17. O. & F.	Owasco Riv. Ry. Co.....	.50	.50	931
	A. H. A. Williams (lessee)	13.00	13.00	932
	Pac. Coast Ry. Co.....	76.10	76.10	Narrow gauge 933
Sept. 17. O. & F.	Pac. & G. E. Ry. Co.....	7.25	7.25	934
Sept. 17. O. & F.	Palmetto R. R. Co.....	18.20	18.20	935
	P. M. & S. Pass. Ry. Co.....	16.00	16.00	Under construction 936
Nov. 15. O. & F.	P. & P. M. R. R. R. Co.....	16.00	16.00	Narrow gauge 937
	P. B. R. R. Co.....	20.00	20.00	do 938
Sept. 18. O. & F.	P. & H. R. C. Ry. Co.....	9.00	9.00	
	Pa. Co.....	1,396.95		Pennsylvania system 939
Oct. 3. O. & F.	.....do.....		198.34	940
Oct. 3. O. & F.	.....do.....		84.47	941
Oct. 3. O.	.....do.....		128.89	942
Oct. 3. O. & F.	.....do.....		222.59	943
Oct. 3. O. & F.	.....do.....			944
	.....do.....		20.80	945
Oct. 29. O. & F.	.....do.....		12.23	946
	.....do.....		14.98	947
Oct. 3. O. & F.	.....do.....		79.98	948
Oct. 29. O. & F.	.....do.....		504.73	949
	.....do.....		122.08	950
Oct. 3. O. & F.	C. St. L. & P. R. R. Co. for Pa. Co.	636.05	581.05	951
Oct. 3. O. & F.	C. & M. V. Ry. Co. for Pa. Co.	148.45	148.45	952
	East St. L. & Co. Ry. Co. for Pa. Co.	11.50	11.50	953

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Pennsylvania Company—Continued.	
954	Grand Rapids and Indiana Railroad Company	Grand R. & I. R. R.
955	Cincinnati, Richmond and Fort Wayne Railroad Company	Cin., R. & Ft. W. R. R.
956	Muskegon, Grand Rapids and Indiana Railroad Company	Musk., G. R. & I. R. R.
957	Traverse City Railroad Company	Trav. C'y R. R.
958	Bay View, Little Traverse and Mackinaw Railroad Company	B. V., L. T. & M. R. R. Co.
959	Pittsburgh, Cincinnati and St. Louis Railway Company	Pitts., Cin. & St. L. Ry.
960	Chartiers Railway Company	Chartiers Ry.
961	Waynesburg and Washington Railroad Company	Waynesb'g & W. R. R.
962	Columbus and Xenia Railroad Company	Cols. & Xenia R. R.
963	Little Miami Railroad Company	Little Miami R. R.
964	Pittsburgh, Wheeling and Kentucky Railroad Company	Pitts., W. & Ky. R. R.
965	Stonewall Extension Railroad Company	Pa. R. R.
966	Pennsylvania Railroad Company	Bald E. Vy. R. R.
967	Rail Eagle Valley Railroad Company	Bedford & B. R. R.
968	Bedford and Bridgeport Railroad Company	Bell, Nit. & L. R. R.
969	Bellefonte, Nittany and Lemont Railroad Company	Belvidere Del. R. R.
970	Belvidere Delaware Railroad Company	Camden, Burl. Co. R. R.
971	Flemington Branch Railroad Company	Camden, Burl. Co. R. R.
972	Camden and Burlington County Railroad Company	Camden, Burl. Co. R. R.
973	Burlington and Mount Holly Branch Railroad Company	Cols., Kin. & Sprg. R. R.
974	Columbus, Kinkora and Springfield Railroad Company	Colum. & Port D. R. R.
975	Columbia and Port Deposit Railroad Company	E. B. & Wbrg. R. R.
976	East Brandywine and Waynesburg Railroad Company	Ebensburg & C. R. R.
977	Ebensburg and Cresson Railroad Company	Enterprise R. R.
978	Enterprise Railroad Company	Frankford & Hol. R. R.
979	Frankford and Holmesburg Railroad Company	Freehold & Jbg. A. R. R.
980	Freehold and Jamesburg Agricultural Railroad Company	Fred. & Penn. L. R. R.
981	Frederick and Pennsylvania Line Railroad Company	Hanover & Y. R. R.
982	Hanover and York Railroad Company	Hbg., P., M. J. & L. R. R.
983	Harrisburg, Portsmouth, Mount Joy and Lancaster Railroad Company	Kens. & Tey. R. R.
984	Kensington and Tacony Railroad Company	Lewisburg & T. R. R.
985	Lewisburg and Tyrone Railroad Company	Littlestown R. R.
986	Littlestown Railroad Company	Long Beach R. R.
987	Long Beach Railroad Company	Mart. Crk' Ry. of N. J.
988	Martin's Creek Railway Company of New Jersey	Mart. Crk' Ry. of Penn.
989	Martin's Creek Railway Company of Pennsylvania	Mif. & Centre Co. R. R.
990	Mifflin and Centre County Railroad Company	Mill & N. B. R. R.
991	Millstone and New Brunswick Railroad Company	Mnt. H., L. & Need. R. R.
992	Mount Holly, Lumberton and Needford Railroad Company	Nat. Docks R. R. Co.
993	National Docks Railroad Company	Nescopee R. R.
994	Nescopee Railroad Company	Newry R. R.
995	Newry Railroad Company	N. & W. Br. Ry.
996	North and West Branch Railway Company	Pa. & Hightwn R. R.
997	Pemberton and Hightstown Railroad Company	Pa. Schuyl. V. R. R.
998	Pennsylvania Schuylkill Valley Railroad Company	Perth A. & Woodbg. R. R.
999	Perth Amboy and Woodbridge Railroad Company	Phil. & Erie R. R.
1000	Philadelphia and Erie Railroad Company	Phil., Ger. & C. H. R. R.
1001	Philadelphia, Germantown and Chestnut Hill Railway Company	Phil., Long Br. R. R.
1002	Philadelphia and Long Branch Railroad Company	Phil. & Tren. R. R.
1003	Philadelphia and Trenton Railroad Company	Connecting Ry.
1004	Connecting Railway Company	Kensgt. Boh. R. R.
1005	Kensington Branch Railroad Company	Pitts., Va. & Chastrn. Ry.
1006	Pittsburgh, Virginia and Charlestown Railway Company	Pom. & Newark R. R.
1007	Pomeroy and Newark Railroad Company	Ridgwy. & Clar. R. R.
1008	Ridgeway and Clearfield Railroad Company	Riverfront R. R.
1009	Riverfront Railroad Company	R. H. R. R. & Trans. Co.
1010	Rocky Hill Railroad and Transportation Company	S. W. Penn. Ry.
1011	Southwest Pennsylvania Railway Company	Sunbury, H. & W. Ry.
1012	Sunbury, Hazleton, and Wilkesbarre Railway Company	Sunbury & L. R. R.
1013	Sunbury and Lewistown Railway Company	Susq. & Clear. R. R.
1014	Susquehanna and Clearfield Railroad Company	

for the year ending June 30, 1888—Continued.

3			4	5	6	7
Date of filing report. (Operating or financial.)			How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.				Miles.	Miles.	
Oct. 8.	O. & F.	G. R. & I. R. R. Co. for Pa. Co.	557.56	403.50	Pennsylvania System..	954
Oct. 8.	O. & F.	do		85.60		955
Oct. 8.	O. & F.	do		36.76		956
Oct. 8.	O. & F.	do		26.00		957
Oct. 8.	O.	do		5.70		958
Oct. 3.	O. & F.	P., C. & St. L. Ry. Co. for Pa. Co.	454.50	188.80		959
Oct. 3.	O. & F.	do		22.76		960
Oct. 3.	O. & F.	W. & W. R. R. Co. for P., C. & St. L. Ry. Co.	28.15	28.15		961
Oct. 15.	O. & F.	P., C. & St. L. Ry. Co. for Pa. Co.		54.74		962
Oct. 15.	O. & F.	do		196.19		963
Oct. 3.	O. & F.	do		28.04		964
Oct. 3.	O. & F.	do		1.23		956
Oct. 12.	O. & F.	Pa. R. R. Co.	2,346.34	452.42		966
Oct. 12.	O. & F.	do		79.53		967
Oct. 12.	O. & F.	do		49.20		968
Oct. 12.	O. & F.	do		9.45		969
Oct. 12.	O. & F.	do		67.49		970
Oct. 12.	O. & F.	do		11.67		971
Oct. 12.	O. & F.	do		22.46		972
Oct. 12.	O. & F.	do		7.15		973
Oct. 12.	O. & F.	do		14.16		974
Oct. 12.	O. & F.	do		43.78		975
Oct. 12.	O. & F.	do		28.11		976
Oct. 12.	O. & F.	do		11.00		977
Oct. 12.	O. & F.	do		1.26		978
Oct. 12.	O. & F.	do		4.16		979
Oct. 12.	O. & F.	do		27.54		980
Oct. 12.	O. & F.	do		28.00		981
Oct. 12.	O. & F.	do		18.35		982
Oct. 12.	O. & F.	do		53.90		983
Oct. 12.	O. & F.	do		2.56		984
Oct. 12.	O. & F.	do		85.08		985
Oct. 12.	O. & F.	do		9.30		986
Oct. 12.	O. & F.	do		20.50		987
Oct. 12.	O. & F.	do .....		.14		988
Oct. 12.	O. & F.	do .....		.15		989
Oct. 12.	O. & F.	do		12.43		990
Oct. 12.	O. & F.	do		6.65		991
Oct. 12.	O. & F.	do		5.95		992
Oct. 12.	O. & F.	do		1.92		993
Oct. 12.	O. & F.	do		11.96		994
Oct. 12.	O. & F.	do		1.00		995
Oct. 12.	O. & F.	do		47.82		996
Oct. 12.	O. & F.	do		24.47		997
Oct. 12.	O. & F.	do		117.95		998
Oct. 12.	O. & F.	do		6.40		999
Oct. 12.	O. & F.	do		287.58		1000
Oct. 12.	O. & F.	do		6.75		1001
Oct. 12.	O. & F.	do		47.28		1002
Oct. 12.	O. & F.	do		23.66		1003
Oct. 12.	O. & F.	do		6.75		1004
Oct. 12.	O. & F.	do		2.84		1005
Oct. 12.	O. & F.	do		75.43		1006
Oct. 12.	O. & F.	do		26.70		1007
Oct. 12.	O. & F.	do		27.23		1008
Oct. 12.	O. & F.	do		3.86		1009
Oct. 12.	O. & F.	do		2.38		1010
Oct. 12.	O. & F.	do		80.89		1011
Oct. 12.	O. & F.	do		43.44		1012
Oct. 12.	O. & F.	do		43.45		1013
Oct. 12.	O. & F.	do		24.89		1014

TABLE L.—Classification of railways and mileage

	1.	2.
	Name of carrier.	Abbreviated name of road.
	Pennsylvania Railroad Company—Continued.	
1015	Tipton Railroad Company.....	Tipton R. R.....
1016	Trenton Delaware Bridge Company.....	Tren. Del. Brdg. Co.....
1017	Tyronc and Clearfield Railway Company.....	Tyronc & Clear. Ry.....
1018	United New Jersey Railroad and Canal Company.....	Un. N. J. R. R. & C. Co.....
1019	Vincetown Branch Railroad Company.....	Vincetown Br. R. R.....
1020	West Chester Railroad Company.....	West Chester R. R.....
1021	Western Pennsylvania Railroad Company.....	Wn. Pa. R. R.....
1022	Alexandria and Fredericksburg Railway.....	Alex. & Fredb'rg Ry.....
1023	Alexandria and Washington Railway Company...	Alex. & Wash. Ry.....
1024	Baltimore and Potomac Railroad Company.....	Balt. & Pot. R. R.....
1025	Catonsville Short Line Railroad Company.....	Catonsv. S. L. R. R.....
1026	Camden and Atlantic Railroad Company.....	Camden & A. R. R.....
1027	Kensington and New Jersey Ferry Company.....	Kensgt'n & N. J. F. Co.....
1028	Philadelphia, Marlton and Medford Railroad Com- pany.....	Phil., Marl. & M. R. R.....
1029	Northern Central Railway Company.....	Nn. Cent. Ry.....
1030	Elmira and Lake Ontario Railroad Company.....	Elmira & L. O. R. R.....
1031	Elmira and Williamsport Railroad Company.....	Elmira & W. R. R.....
1032	Summit Branch Railroad Company.....	S. B. R. R. Co.....
1033	Lykens Valley Railroad and Coal Company.....	Lykens V. V. R. R. & C. Co.....
1034	Shamokin Valley and Pottsville Railroad Company.....	Shamokin V. V. & P. R. R.....
1035	Union Railroad Company of Baltimore.....	Union R. R. of Balt.....
1036	Philadelphia, Wilmington and Baltimore Railroad Company.....	P., W. & B. R. R.....
1037	The Cambridge and Seaford Railroad Company...	Camb. & Seaf'rd R. R.....
1038	Chester Creek Railroad Company.....	Chester Cr'k R. R.....
1039	Delaware Railroad Company.....	Delaware R. R.....
1040	Delaware and Chesapeake Railway.....	Del. & Ches. Ry.....
1041	Delaware, Maryland and Virginia Railroad Com- pany.....	Del., Md. & Va. R. R.....
1042	Philadelphia and Baltimore Central Railroad Com- pany.....	Phil. & B. Cent. R. R.....
1043	Queen Anne and Kent Railroad Company.....	Queen Anne & K. R. R.....
1044	West Jersey Railroad Company.....	W. Jersey R. R.....
1045	West Jersey and Atlantic Railroad Company.....	W. J. & Atl. R. R.....
1046	Pennsylvania, Poughkeepsie and Boston Railroad Company	Pa. P. & B. R. R.....
1047	Pensacola and Andalusia Railroad Company.....	Pensacola & A. R. R.....
1048	Pensacola and Perdido Railroad Company.....	Pensacola & Per. R. R.....
1049	People's Railway Company.....	People's Ry.....
1050	Peoria Terminal Railway Company.....	Peoria Trm. Ry.....
1051	Philadelphia and Reading Railroad Company.....	P. & R. R. R.....
1052	Allentown Railroad Company.....	Allentown R. R.....
1053	Camden, Gloucester and Mt. Ephraim Railroad Com- pany.....	Camden, G. & Mt. E. R. R.....
1054	Catawissa Railroad Company.....	Catawissa R. R.....
1055	Chester and Delaware River Railroad Company.....	Chester & Del. R. R. R.....
1056	Chester Valley Railroad Company.....	Chester V. V. R. R.....
1057	Chestnut Hill Railroad Company.....	Ch'stn't H. R. R.....
1058	Colebrookdale Railroad Company.....	Colebr'kdale R. R.....
1059	Delaware and Bound Brook Railroad Company.....	Del. & B. Brk. R. R.....
1060	East Mahanoy Railroad Company.....	E. Mahanoy R. R.....
1061	East Pennsylvania Railroad Company.....	E. Pa. R. R.....
1062	East Trenton Railroad Company.....	E. Trenton R. R.....
1063	Harrisburg and Potomac Railroad Company.....	Hbg. & Pot. R. R.....
1064	Little Schuylkill Railroad, Navigation and Canal Com- pany.....	L. Sch'y'lk'll R. R., N. & C. Co.....
1065	Mill Creek and Mine Hill Navigation and Railroad Company.....	M. Crk. & M. Hill Nav. & R. R.....
1066	Mine Hill and Schuylkill Harbor Railroad Company..	M. Hill & Sch'y'lk'll H. R. R.....
1067	Mount Carbon and Port Carbon Railroad Company.....	Mt. C'bn & Pt. C'bn R. R.....
1068	North East Pennsylvania Railroad Company.....	N. E. Pa. R. R.....
1069	North Pennsylvania Railroad Company.....	North P. R. R.....
1070	Philadelphia and Atlantic City Railroad Company.....	Phil. & Atl. C. R. R.....
1071	Philadelphia and Chester Valley Railroad Company.....	Phil. & C. V. R. R.....
1072	Philadelphia, Germantown and Norristown Railroad Company.....	Phil., Germ'town & N. R. R.....
1073	Pickering Valley Railroad Company.....	Pick'r'g. V. V. R. R.....
1074	Reading and Columbia Railroad Company.....	Reading & C. R. R.....
1075	Lancaster and Reading Narrow Gauge Railroad Company.....	Lanc'str & R. N. G. R. R.....
1076	Reading, Marietta and Hanover Railroad Company.....	Reading, M. & H. R. R.....

for the year ending June 30, 1888—Continued.

3		4	5	6	7
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.			Miles.	Miles.	
Oct. 12.	O. & F.	Pa. R. R. Co.		4.44	Pennsylvania system .. 1015
Oct. 12.	O. & F.	do .....		.19	1016
Oct. 12.	O. & F.	do		103.02	1017
Oct. 12.	O. & F.	do		144.75	1018
Oct. 12.	O. & F.	do		2.84	1019
Oct. 12.	O. & F.	do		5.00	1020
Oct. 12.	O. & F.	do		98.08	1021
Oct. 12.	O. & F.	A. & F. R. R. Co. for Pa. R. R. Co.	33.60	28.64	1022
Oct. 12.	O. & F.	do		4.96	1023
Oct. 12.	O. & F.	B. & P. R. R. Co. for Pa. R. R. Co.	95.86	92.06	1024
Oct. 12.	O. & F.	do		3.80	
Oct. 12.	O. & F.	do			1025
Oct. 12.	O. & F.	C. & A. R. R. Co. for Pa. R. R. Co.	80.58	68.07	1026
Oct. 12.	O. & F.	do		1.00	1027
Oct. 12.	O. & F.	do		11.51	1028
Nov. 1.	O. & F.	N. C. R. R. Co. for Pa. R. R. Co.	372.79	148.24	1029
Nov. 1.	O. & F.	do		99.57	1030
Nov. 1.	O. & F.	do		75.50	1031
Nov. 1.	O. & F.	do		19.70	1032
Nov. 1.	O. & F.	do .....		.75	1033
Nov. 1.	O. & F.	do		29.78	1034
Nov. 1.	O. & F.	do	8.64	8.64	1035
Oct. 12.	O. & F.	P. W. & B. R. R. Co. for Pa. R. R. Co.	505.95	122.47	1036
Oct. 12.	O. & F.	do		27.25	1037
Oct. 12.	O. & F.	do		6.62	1038
Oct. 12.	O. & F.	do		83.83	1039
Oct. 12.	O. & F.	do		54.29	1040
Oct. 12.	O.	do		97.62	1041
Oct. 12.	O.	do		71.87	1042
Oct. 12.	O. & F.	do		25.86	1043
Oct. 12.	O. & F.	W. J. R. R. Co. for Pa. R. R. Co.	209.02	169.52	1044
Oct. 13.	O. & F.	do		39.50	1045
		P. & A. R. R. Co.	13.00	13.00	Under construction ... 1046
		P. & P. R. R. Co.	10.00	10.00	1047
		P. Ry. Co.	4.58	4.58	1048
		P. Ter. Ry. Co.	4.00	4.00	1049
		P. & R. R. R. Co.	940.60	327.00	Reading system ... 1050
		do		4.50	1051
		do		4.86	1052
		do		98.00	1053
		do		4.39	1054
		do		21.50	1055
		do		4.13	1056
		do		12.80	1057
		do		30.70	1058
		do		7.56	1059
		do		36.00	1060
		do		2.56	1061
		do		36.90	1062
		do		31.10	1063
		do		7.27	1064
		do		135.50	1065
		do		2.50	1066
		do		9.50	1067
		do		86.40	1068
		do		54.54	1069
		do		14.20	1070
		do		29.25	1071
		do		11.30	1072
		do		54.82	1073
		do		15.28	1074
		do		6.36	1075
		do			1076

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Philadelphia and Reading Railroad Company—Cont'd.	
1077	Schuylkill and Lehigh Railroad Company.....	Sch'y'lk'll & L. R. R.....
1078	Schuylkill Valley Navigation and Railroad Company..	Sch'y'lk'll V'y. Nav. & R. R.....
1079	Shamokin, Sunbury and Lewisburg Railroad Company..	Shamokin, Sunb'y & L. R. R.....
1080	Perkiomen Railroad Company.....	Perk. R. R.....
1081	Philadelphia, Newton and New York Railroad Com- pany.....	Phil. N. & N. Y. R. R.....
1082	Stony Creek Railroad Company.....	Stony Creek R. R.....
1083	Pine Bluff, Monroe and New Orleans Railroad Company..	Pine B. M. & N. O. R. R.....
1084	Pittsburgh Railroad Company.....	Pittsb'gh R. R.....
1085	Pittsburgh and Castle Shannon Railroad Company.....	Pittsb'gh & C. S. R. R.....
1086	Pittsburgh, Chartiers and Youghiogheny Railway Com- pany.....	Pittsb'gh, C. & Y. Ry.....
1087	Pittsburgh and Lake Erie Railroad Company.....	Pittsb'gh & L. E. R. R.....
1088	Pittsburgh, McKeesport and Youghiogheny Railroad Company.....	Pittsb'gh, McK. & Y. R. R.....
1089	Youghiogheny Northern Railroad Company.....	Youghiogheny Nn. R. R.....
1090	Pittsburgh, Marion and Chicago Railroad Company.....	Pittsb'gh, M. & C. R. R.....
1091	Pittsburgh, Shenango and Lake Erie Railroad Company..	Pittsb'gh, S. & L. E. R. R.....
1092	West Pennsylvania and Shenango Connecting Rail- road Company.....	W. Pa. & S. Con. R. R.....
1093	Pittsburgh and Western Railway Company.....	Pitta. & Wn. Ry.....
1094	Pittsburgh, Cleveland and Toledo Railroad Company	Pitta. Clev. & T. R. R.....
1095	Pittsburgh, Painesville and Fairport Railway Com- pany.....	Pitta. P. & Fair. Ry.....
1096	Pittsburgh and Northern Railroad Company.....	Pitta. & Nn. R. R.....
1097	Pontiac, Oxford and Port Austin Railroad Company.....	P. O. & Port A. R. R.....
1098	Port Huron and Northwestern Railway Company.....	Port Huron & N. Wn. Ry.....
1099	Port Jervis, Monticello and New York Railroad Company	Pt. Jervis, M. & N. Y. R. R.....
1100	Portland and Ogdensburg Railroad Company.....	Port. & Ogd. R. R.....
1101	Portland and Rochester Railroad Company.....	Port. & Roch. R. R.....
1102	Potomac, Fredericksburg and Piedmont Railroad Com- pany.....	Pot., Fred. & P. E. R.....
1103	Prairie du Chien and McGregor Railroad Company.....	P. du C. & McG. R. R.....
1104	Pratt Coal and Iron Company's Railroad.....	Pratt C. & I. Co's R. R.....
1105	Prescott and Arizona Central Railway Company.....	Prescott & A. Cent. Ry.....
1106	Profile and Franconia Notch Railroad Company.....	Profile & F. N. R. R.....
1107	Prospect Park and Coney Island Railway Company.....	Prosp. P. & Coney I. Ry. Co.....
1108	New York and Coney Island Railroad Company.....	N. Y. & C. I. R. R.....
1109	Providence and Springfield Railroad Company.....	Prov. & Sp'g'ld R. R.....
1110	Providence and Worcester Railroad Company.....	Prov. & W. R. R.....
1111	Puget Sound Shore Railroad Company.....	Puget Sd. Shore R. R.....
1112	Quincy, Omaha and Kansas City Railway Company.....	Q., O. & K. C. Ry.....
1113	Reynoldsville and Falls Creek Railroad Company.....	Rey. & F. C. R. R.....
1114	Richmond and Alleghany Railroad Company.....	Rich. & A. R. R.....
1115	Buckingham Railroad Company.....	Buekh'm R. R.....
1116	Richmond and Danville Railroad Company.....	R. & D. R. R.....
1117	Asheville and Spartanburg Railroad Company.....	A. & S. R. R.....
1118	Milton and Sutherland Railroad Company.....	M. & S. R. R.....
1119	North Carolina Railroad Company.....	N. C. R. R.....
1120	Northeastern Railroad Company.....	N. E. R. R.....
1121	Northwestern North Carolina Railroad Company.....	N. Wn. N. C. R. R.....
1122	Oxford and Clarksville Railroad Company.....	O. & C. R. R.....
1123	Richmond and Mecklenburg Railroad Company.....	R. & M. E. R.....
1124	Richmond, York River and Chesapeake Railroad Com- pany.....	R., Y. R. & C. R. R.....
1125	State University Railroad Company.....	S. U. R. R.....
1126	Atlanta and Charlotte Air Line Railroad Company.....	A. & C. A. L. R. R.....
1127	Elberton Air Line Railroad Company.....	Elb. A. L. R. R.....
1128	Hartwell Railroad Company.....	Hart. R. R.....
1129	Lawrenceville Branch Railroad Company.....	L. Br. R. R.....
1130	Roswell Railroad Company.....	Ros. R. R.....
1131	Charlotte, Columbia and Augusta Railroad Company..	C., C. & A. R. R.....
1132	Atlantic, Tennessee and Ohio Railroad Company.....	A., T. & O. R. R.....
1133	Cheraw and Chester Railroad Company.....	C. & C. R. R.....
1134	Chester and Lenoir Railroad Company.....	C. & L. R. R.....
1135	Statesville and Western Railroad Company.....	S. & W. R. R.....
1136	Columbia and Greenville Railroad Company.....	C. & G. R. R.....
1137	Blue Ridge Railroad Company.....	B. R. R. R.....
1138	Laurens Railway Company.....	Laurens Ry.....
1139	Spartanburg, Union and Columbia Railroad Com- pany.....	S., U. & C. R. R.....

for the year ending June 30, 1888—Continued.

3		4	5	6	7
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.			Miles.	Miles.	
		P. & R. R. R. Co.		44.00	Reading system
		do		18.57	1077
		do		31.10	1078
Sept. 8.	O. & F.	Perk. R. R. Co. for P. & E. R. R. Co.	38.50	38.50	1079
Sept. 8.	O. & F.	P. & R. R. R. Co.		20.90	1080
Sept. 8.	O. & F.	Stony Creek R. R. Co. for P. & R. R. R. Co.	10.30	10.30	1081
		Pine B. M. & N. O. R. R. Co.	30.00	30.00	Narrow gauge
		Pittsburgh R. R. Co.	5.33	5.33	1083
		Pittsburgh & C. S. R. R. Co.	6.00	6.00	Narrow gauge
		Pittsburgh C. & Y. R. R. Co.	15.20	15.20	1084
		Pittsburgh & L. E. R. R. Co.	135.72	70.93	Part of Lake Shore system.
		do		62.28	1085
		do		2.51	1086
		Pittsburgh M. & C. R. R. Co.	25.00	25.00	1087
		Pittsburgh S. & L. E. R. R. Co.	76.40	56.80	1088
Oct. 24.	F.	do		19.60	1089
Oct. 16.	O. & F.	Pitts. & Wn. Ry. Co.	341.17	216.97	1090
Oct. 25.	O. & F.	do		77.20	1091
		do		53.00	1092
		do		4.00	Narrow gauge
		P. O. & Port A. R. R. Co.	100.20	100.20	1093
		P. H. & N. Wn. Ry. Co.	218.00	218.00	Narrow gauge
Nov. 19.	O. & F.	P. J. & M. N. Y. R. R. Co.	23.75	23.75	1094
Nov. 23.	O. & F.	P. & O. R. R. Co.	91.34	91.34	1095
Sept. 20.	O. & F.	P. & R. R. R. Co.	52.50	52.50	1100
Nov. 16.	O. & F.	P. F. & P. R. R. Co.	38.00	38.00	Narrow gauge
		P. du C. & McG. R. R. Co.	2.00	2.00	1101
		Pratt Coal & Iron Co.	10.00	10.00	1102
		P. & A. C. Ry. Co.	73.12	73.12	1103
Oct. 27.	O. & F.	P. & F. N. R. R. Co.	13.33	13.33	Narrow gauge
		P. P. & Coney I. Ry. Co.	11.78	5.87	1104
		do		2.41	1105
		P. & S. R. R. Co.	22.80	22.80	1106
Dec. 3.	O. & F.	P. & W. R. R. Co.	50.41	50.41	1107
		P. Sound S. R. R. Co.	23.00	23.00	1108
Oct. 20.	O. & F.	Q. O. & K. C. Ry. Co.	136.00	134.00	1109
Oct. 29.	O. & F.	Key. & F. C. R. R. Co.	7.35	7.35	1110
Oct. 12.	O. & F.	Lawrence Myers & Decatur Axtell, receivers.	256.16	250.85	1111
Oct. 12.	O.	Lawrence Myers & Decatur Axtell, receivers R. & A.		3.91	1112
Oct. 26.	O. & F.	R. & D. R. R. Co.	2,386.61	202.90	Richmond and Dan- ville system.
Oct. 26.	O.	do		66.00	1113
Oct. 26.	O.	do		6.50	Narrow gauge
Oct. 26.	O.	do		223.00	1114
Oct. 26.	O.	do		38.90	1115
Oct. 26.	O.	do		25.49	1116
Oct. 26.	O.	do		23.92	1117
Oct. 26.	O.	do		81.30	1118
Oct. 26.	O.	do		38.30	1119
Oct. 26.	O.	do		10.20	1120
Oct. 26.	O.	do		269.00	1121
Oct. 26.	O.	do		50.00	Narrow gauge
Oct. 26.	O.	do		10.00	do
Oct. 26.	O.	do		10.00	do
Oct. 26.	O.	do		9.80	do
Oct. 26.	O.	do		191.00	1122
Oct. 26.	O.	do		44.00	1123
Oct. 26.	O.	do		28.60	Narrow gauge
Oct. 26.	O.	do		109.30	1124
Oct. 26.	O.	do		20.30	1125
Oct. 26.	O.	do		143.50	1126
Oct. 26.	O.	do		44.00	1127
Oct. 26.	O.	do		30.00	1128
Oct. 26.	O.	do		68.00	1129

300 REPORT OF THE INTERSTATE COMMERCE COMMISSION.

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Richmond and Danville Railroad—Continued.	
1140	Virginia Midland Railroad Company.....	Va. Mid. R. R.....
1141	Franklin and Pittsylvania Railroad Company.....	F. & P. R. R.....
1142	Washington, Ohio and Western Railroad Company.....	W., O. & Wn. R. R.....
1143	Western North Carolina Railroad Company.....	Wn. N. C. R. R.....
1144	Murphy Branch Railroad Company.....	M. Br. R. R.....
1145	Richmond, Fredericksburg and Potomac Railroad Company.	R. F. & P. E. R.....
1146	Potomac Railroad Company.....	Potomac R. R.....
1147	Rio Grande Railroad Company.....	R. G. R. R.....
1148	Rio Grande and Eagle Pass Railroad Company.....	R. G. & E. P. R. R.....
1149	Roane Iron Company's Railroad.....	R. I. Co.'s R. R.....
1150	Rochester and Lake Ontario Railway Company.....	Roch. & L. O. Ry.....
1151	Rock Island and Peoria Railway Company.....	R. I. & P. Ry.....
1152	Rockport Railroad Company.....	Rockpt. R. R.....
1153	Rockwood and Tennessee River Railroad Company.....	R. & Tenn. R. R. R.....
1154	Rome and Decatur Railroad Company.....	Rome & D. R. R.....
1155	Rome, Watertown and Ogdensburgh Railroad Company.....	R., W. & O. R. R.....
1156	Niagara Falls Branch Railroad Company.....	N. F. Br. R. R.....
1157	Norwood and Montreal Railroad Company.....	N. & M. R. R.....
1158	Oswego and Rome Railroad Company.....	O. & R. R. R.....
1159	Rome, Watertown and Ogdensburgh Terminal Railroad Company.	R., W. & O. Ter. R. R.....
1160	Syracuse, Phoenix and Oswego Railway Company.....	S., P. & O. Ry.....
1161	Utica and Black River Railroad Company.....	U. & B. R. R.....
1162	Carthage, Watertown and Sackett's Harbor Railroad Company.	C., W. & S. H. R. R.....
1163	Ruby Hill Railroad Company.....	Ruby Hill R. R.....
1164	Rumford Falls and Buckfield Railroad Company.....	R. F. & B. R. R.....
1165	Saginaw, Tuscola and Huron Railroad Company.....	Sag., T. & H. R. R.....
1166	St. Augustine and South Beach Railway Company.....	St. A. & S. B. R. Ry.....
1167	St. Clairsville and Northern Railway Company.....	St. C. & Nn. Ry.....
1168	St. Croix and Penobscot Railroad Company.....	St. C. & P. R. R.....
1169	St. Joe Railway Company.....	St. Joe Ry.....
1170	St. John's Railway Company.....	St. J. Ry.....
1171	St. Augustine and Palatka Railway Company.....	St. A. & P. Ry.....
1172	St. Joseph Valley Railroad Company.....	St. Jos. V. R. R.....
1173	St. Louis, Alton and Springfield Railroad Company.....	St. L., A. & S. R. R.....
1174	St. Louis, Alton and Terre Haute Railroad Company.....	St. L., A. & T. H. R. R.....
1175	Bellville and Carondelet Railroad Company.....	B. & C. R. R.....
1176	Bellville and Eldorado Railroad Company.....	B. & E. R. R.....
1177	Bellville and Southern Illinois Railroad Company.....	B. & S. Ill. R. R.....
1178	Chicago, St. Louis and Paducah Railroad Company.....	C., St. L. & P. R. R.....
1179	St. Louis Southern Railroad Company.....	St. L. S. R. R.....
1180	Carbondale and Shawneetown Railroad Company.....	C. & Shawneetown R. R.....
1181	St. Louis, Arkansas and Texas Railway Company in Arkansas and Missouri.	St. L., Ark. & T. Ry.....
1182	St. Louis Bridge and Tunnel Company.....	St. L., B. & T. Co.....
1183	Terminal Railroad Company (East St. Louis).....	Ter. R. R. (E. St. L.).....
1184	Terminal Railroad Company (St. Louis).....	Ter. R. R. (St. L.).....
1185	Tunnel Railroad Company (St. Louis).....	Tun. R. R. (St. L.).....
1186	Union Railway and Transit Company.....	U. Ry. & Tr. Co.....
1187	St. Louis Cable and Western Railroad Company.....	St. L., C. & Wn. R. R.....
1188	St. Louis and Central Illinois Railroad Company.....	St. L. & C. Ill. R. R.....
1189	St. Louis and Chicago Railway Company.....	St. L. & C. Ry.....
1190	St. Louis, Des Moines and Northern Railway Company.....	St. L., Des. M. and Nn. Ry.....
1191	St. Louis and Hannibal Railway Company.....	St. L. & H. Ry.....
1192	St. Louis and San Francisco Railway Company.....	St. L. & S. F. Ry.....
1193	Kansas City and Southwestern Railway Company.....	K. C. & S. Wn. Ry.....
1194	Kansas Midland Railway Company.....	K. Mid. Ry.....
1195	St. Louis, Kansas and Southwestern Railway Company.	St. L. K. & So. Wn. Ry.....
1196	St. Louis, Salem and Arkansas Railway Company.....	St. L., S. & Ark. Ry.....
1197	St. Paul and Duluth Railroad Company.....	St. P. & D. R. R.....
1198	Duluth Short Line Railway.....	Dul. Short L. Ry.....
1199	Minneapolis and Duluth Railroad Company.....	Minn. & Dul. R. R.....
1200	Stillwater and St. Paul Railroad Company.....	S. & St. P. R. R.....
1201	Taylor's Falls and Lake Superior Railroad Company.....	T. F. & L. S. R. R.....
1202	St. Paul, Minneapolis and Manitoba Railway Company.....	St. P. M. & M. Ry.....

for the year ending June 30, 1888—Continued.

3		4	5	6	7	
Date of filing report. (Operating or financial.)		How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.			Miles.	Miles.		
Oct. 26.	O.	R. & D. R. R. Co .....	.....	231.10	Richmond and Danville system.	1140
Oct. 26.	O.	.....do .....	.....	37.00	Narrow gauge	1141
Oct. 26.	O.	.....do .....	.....	50.10	.....	1142
Oct. 26.	O.	.....do .....	.....	185.40	.....	1143
Oct. 26.	O.	.....do .....	.....	99.00	.....	1144
Sept. 14.	O. & F.	R. F. & P. R. R. Co	80.70	79.00	.....	1145
Sept. 14.	O.	.....do .....	.....	1.70	.....	1146
Sept. 21.	O. & F.	R. G. R. R. Co	22.50	22.50	Narrow gauge	1147
		R. G. & E. P. R. R. Co .....	.....	27.00	.....	1148
Oct. '18.	O. & F.	Roane Iron Co	5.25	5.25	Narrow gauge	1149
		Roch. & L. O. Ry. Co .....	.....	6.05	.....	1150
Oct. 8.	O. & F.	R. I. & P. Ry. Co	113.00	113.00	.....	1151
Nov. 17.	O. & F.	Rockpt. R. R. Co	3.00	3.00	Narrow gauge	1152
		R. & Tenn. R. R. R. Co .....	.....	6.00	.....	1153
		R. T. Dorsey, receiver .....	.....	135.00	Under construction	1154
Nov. 23.	O. & F.	R. W. & O. R. R. Co	629.18	375.63	.....	1155
Nov. 23.	O.	.....do .....	.....	8.74	.....	1156
Nov. 23.	O.	.....do .....	.....	12.94	.....	1157
Nov. 23.	O.	.....do .....	.....	28.49	.....	1158
Nov. 23.	O.	.....do .....	.....	1.56	.....	1159
Nov. 23.	O.	.....do .....	.....	17.11	.....	1160
Nov. 23.	O.	.....do .....	.....	133.94	.....	1161
Nov. 23.	O.	.....do .....	.....	30.00	.....	1162
		Ruby Hill R. R. Co	7.00	7.00	Narrow gauge	1163
		R. F. & B. R. R. Co	26.77	26.77	.....	1164
Oct. 29.	O. & F.	Sag. T. & H. R. R. Co	66.57	66.57	Narrow gauge	1165
Sept. 24.	O. & F.	St. A. & S. B. Ry. Co	1.30	1.30	.....do	1166
		St. C. & Nn. Ry. Co	3.50	3.50	.....do	1167
Sept. 5.	O. & F.	St. C. & P. R. R. Co	22.00	22.00	.....	1168
Sept. 5.	O. & F.	St. Joe Ry. Co	12.48	12.48	Narrow gauge	1169
		St. J. Ry.	38.00	15.00	.....do	1170
		St. J. Ry. (lessee) .....	.....	23.00	.....	1171
		St. Jos. Vv. R. R. Co	10.00	10.00	Narrow gauge	1172
		St. L., A. & S. R. R. Co	71.40	71.40	Bluff line	1173
Sept. 24.	O. & F.	St. L., A. & T. H. R. R. Co	201.00	201.00	193 miles leased to I & St. L. Ry. Co.	1174
Sept. 24.	O.	.....do .....	.....	17.00	Cairo Short Line	1175
Sept. 24.	O.	.....do .....	.....	50.00	.....	1176
Sept. 24.	O.	.....do .....	.....	56.00	.....	1177
Sept. 24.	O.	.....do .....	.....	15.00	.....	1178
Sept. 24.	O.	.....do .....	.....	49.00	.....	1179
		St. Louis Coal R. R. Co	17.50	17.50	.....	1180
Oct. 18.	O. & F.	St. L., Ark. & T. Ry. Co	529.60	529.60	Cotton belt route	1181
Sept. 25.	O. & F.	St. L. B. & T. Co .....	.....	20.27	Operated jointly by Mo. Pac. and Wab., St. L. & P. Ry.	1182
Sept. 25.	O.	.....do .....	.....	12.00	.....	1183
Sept. 25.	O.	.....do .....	.....	2.66	.....	1184
Sept. 25.	O.	.....do .....	.....	.94	.....	1185
Sept. 25.	O.	.....do .....	.....	3.50	.....	1186
		St. L. C. & Wn. R. R. Co	19.20	19.20	Narrow gauge	1187
Nov. 10.	O. & F.	St. L. & C. I. R. R. Co	72.00	72.00	.....	1188
Nov. 5.	O. & F.	St. L. & C. Ry. Co	53.00	53.00	.....	1189
Nov. 30.	O. & F.	St. L., Des. M. & Nn. Ry. Co	42.36	42.36	Narrow gauge	1190
Nov. 16.	O. & F.	St. L. & H. Ry. Co	84.95	84.95	.....	1191
Oct. 4.	O. & F.	St. L. & S. F. Ry. Co	1,318.59	1,044.52	See A. T. & S. F. R. R. for Atl. & Pac. Ry.	1192
Oct. 4.	O.	.....do .....	.....	61.88	Frisco Line	1193
Oct. 4.	O.	.....do .....	.....	107.20	.....	1194
Oct. 4.	O.	.....do .....	.....	51.01	.....	1195
Oct. 4.	O.	.....do .....	.....	54.00	.....	1196
Sept. 27.	O. & F.	St. P. & D. R. R. Co	247.75	183.50	.....	1197
Sept. 27.	O.	.....do .....	.....	17.34	.....	1198
Sept. 27.	O.	.....do .....	.....	13.50	.....	1199
Sept. 27.	O.	.....do .....	.....	12.50	.....	1200
Sept. 27.	O.	.....do .....	.....	20.50	.....	1201
		St. P., M. & M. Ry. Co	2,685.44	2,685.44	Manitoba system.	1202

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
1203	St. Paul, Minneapolis and Manitoba Railway Co.—Cont'd. Eastern Railway Company	E. Ry
1204	St. Paul Union Depot Company	St. P. U. D. Co
1205	San Antonio and Aransas Pass Railroad Company	San A. & A. P. R. R
1206	Sandersville and Tennille Railroad Company	Sand. & T. R. R
1207	Sandy River Railroad Company	Sandy R. R. R
1208	San Francisco and North Pacific Railroad Company	S. F. & N. Pac. R. R
1209	San Joaquin and Sierra Nevada Railroad Company	San J. & S. Nev. R. R
1210	San Pedro, Los Angeles and Utah Railway Company	San P., L. A. & U. Ry
1211	San Pete Valley Railroad Company	San Pete Vy. R. R
1212	Saratoga, Mount McGregor and Lake George Railroad Company	S., Mt. McG. & L. G. R. R
1213	Sault Ste. Marie and Southwestern Railway Company	S. S. M. and S. Wn. Ry
1214	Savannah, Florida and Western Railway Company	S., F. & Wn. Ry
1215	Savannah and Tybee Railroad Company	S. & Tybee R. R
1216	Scioto Valley Railway Company	Scioto Vy. Ry
1217	Seaboard and Roanoke Railroad Company	S. & R. R. R
1218	Georgia, Carolina and Northern Railroad Company	G., C. & Nn
1219	Roanoke and Tar River Railroad Company	R. & T. R. R. R
1220	Carolina Central Railroad Company	Car. Cent. R. R
1221	Raleigh and Augusta Air Line Railroad Company	Ral. & Aug. A. L. R. R
1222	Gibson Store Branch Railroad Company	G. S. R. R
1223	Pittsboro Railroad Company	P. R. R
1224	Raleigh and Gaston Railroad Company	Ral. & G. R. R
1225	Louisburg Railroad Company	Louisbg. R. R
1226	Seattle, Lake Shore and Eastern Railway Company	S., L. S. & En. Ry
1227	Sebasticook and Moosehead Railroad Company	S. & M. R. R
1228	Sheffield and Birmingham Coal, Iron and Railway Com- pany	Shef. & B. C., I. & Ry
1229	Shelby Iron Company's Railroad Company	S. I. Co.'s R. R
1230	Shenandoah Valley Railroad Company	Shen. Vy. R. R
1231	Shepang, Litchfield and Northern Railroad Company	S., L. & Nn. R. R
1232	Ship Island, Ripley and Kentucky Railroad Company	Ship Id., R. & K. R. R
1233	Gulf and Ship Island Railroad Company	G. & S. Id. R. R
1234	Short Route Railway Transfer Company	Short Route Ry. Tr
1235	Sierra Valley and Mohawk Valley Railroad Company	S. V. & M. V. R. R
1236	Silver Lake Railway Company	Silver Lake Ry
1237	Silver Springs, Ocala and Gulf Railroad Company	S. Spgs., O. & G. R. R
1238	Silverton Railroad Company	Silverton R. R
1239	Sinnemahoning Valley Railroad Company	Sinnemhg. Vy. R. R
1240	Skaneateles Railroad Company	Skaneateles R. R
1241	Slate Run Railroad Company	Slate Run R. R
1242	Somerset Railway Company	Somerset Ry
1243	Somerset County Railroad Company	Somerset Cy. R. R
1244	Sonoma Valley Railroad Company	Sonoma Vy. R. R
1245	South Atlantic and Ohio Railroad Company	S. Atl. & O. R. R
1246	South Carolina Railway Company	S. Car. Ry
1247	Barnwell Railway Company	Barnwell Ry
1248	Southern Pacific Company	Sn. Pac. Co
1249	Galveston, Harrisburg and San Antonio Railway Com- pany	G., H. & S. A. Ry
1250	Gulf, Western Texas and Pacific Railway Company	G., W. T. & P. Ry
1251	Louisiana Western Railroad Company	La. Wn. R. R
1252	Morgan's Louisiana and Texas Railroad Company	M. La. & Tex. R. R
1253	New York, Texas and Mexican Railway Company	N. Y., Tex. & Mexn. Ry
1254	Texas and New Orleans Railroad Company	Tex. & N. O. R. R
1255	Central Pacific Railroad Company	Cent. Pac. R. R
1256	Amador Branch Railroad Company	Ama. Br. R. R
1257	Berkley Branch Railroad Company	Berk. Br. R. R
1258	California Pacific Railroad Company	Cal. Pac. R. R
1259	Northern Railway of California	Nn. Ry. of Cal
1260	San Pueblo and Tulare Railroad Company	San. P. & T. R. R
1261	Sacramento and Placerville Railroad Company	Sac. & Pla. R. R
1262	Stockton and Copperopolis Railroad Company	S. & C. R. R
1263	Oregon and California Railroad Company	Ore. & Cal. R. R
1264	Southern Pacific Railroad of California	Sn. Pac. R. R. of Cal
1265	Monterey Railroad Company	Montry. R. R
1266	Pajaro and Santa Cruz Railroad Company	Paj. & S. C. R. R
1267	San José and Almaden Railroad Company	San J. & A. R. R
1268	Southern Pacific Railroad of Arizona	Sn. Pac. R. R. of Ari
1269	Southern Pacific Railroad of New Mexico	Sn. Pac. R. R. of New Mex

for the year ending June 30, 1888—Continued.

3		4	5	6	7
Date of filing report. (Operating or financial.)		How operated.	Length of line operated.	Length of line owned.	Remarks.
1888.			Miles.	Miles.	
		E. Ry., of Minn., for St. P., M. & M. Ry.			Under construction
Nov. 28.	O. & F.	St. P. U. D. Co.	5.63	5.63	
		San A. & A. P. R. R. Co.	236.00	236.00	
Oct. 24.	O. & F.	Sand. & T. R. R. Co.	3.50	3.50	
Nov. 16.	O. & F.	Sandy R. R. R. Co.	18.00	18.00	Narrow gauge
		S. F. & N. Pac. R. R. Co.	110.50	110.50	
		San J. & S. Nev. R. R. Co.	39.60	39.60	Narrow gauge
		San P., L. A. & U. Ry. Co.	7.00	7.00	
		San Pete Vy. R. R. Co.	33.00	33.00	Narrow gauge
Nov. 26.	O. & F.	S. Mt. McG. & L. G. R. R. Co.	10.50	10.50	do
		S. S. M. & S. Wn. Ry. Co.	14.00	14.00	
Sept. 17.	O. & F.	S. F. & Wn. Ry. Co.	545.00	545.00	Part of "Plant" system
Oct. 8.	O. & F.	S. & Tybee R. R. Co.	18.00	18.00	
		Scioto Vy. Ry. Co.	130.90	130.90	
Sept. 17.	O. & F.	S. & R. R. R. Co.	110.00	81.50	
Sept. 17.	O.	do	25.00	25.00	Under construction
Sept. 17.	O.	do		28.50	
Oct. 3.	O. & F.	Car. Cent. R. R. for S. & R. R. R. Co.	267.00	267.00	
Oct. 12.	O. & F.	Ral. & Aug. A. L. R. R. for S. & R. R. R. Co.	119.00	107.00	
Oct. 12.	O.	do		10.00	
Oct. 12.	O.	do		12.00	
Oct. 12.	O. & F.	Ral. & G. R. R. Co. for S. & R. R. R. Co.	107.00	97.00	
Oct. 12.	O.	do		10.00	
Nov. 27.	O. & F.	S., L. S. & En. Ry. Co.	55.40	55.40	
Oct. 19.	O. & F.	S. & M. R. R. Co.	8.00	8.00	
Dec. 5.	O. & F.	Shef. & B. C., I. & Ry. Co.	92.00	92.00	
Sept. 13.	O. & F.	Shelby Iron Co'y	6.05	6.05	
Oct. 4.	O. & F.	S. F. Tyler, receiver.	255.55	255.55	
		S., L. & Nn. R. R. Co.	32.28	32.28	
Sept. 5.	O. & F.	Ship. Id., R. & K. R. R. for G. & S. Id. R. R.	25.00		Sold to Gulf & Ship Id. R. R.; narrow gauge.
		Gulf & Ship Id. R. R.	37.00	62.00	
		Short Route Ry. Tr. Co.	1.60	1.60	
		S. V. & M. V. R. R.	15.00	15.00	Under construction
Oct. 22.	O. & F.	Silver Lake Ry. Co.	6.86	6.86	
		S. Spgs., O. & G. R. R. Co.	26.00	26.00	
Dec. 4.	O. & F.	Silverton R. R. Co.	8.00	8.00	Narrow gauge
Sept. 20.	O. & F.	Sinnemhg. Vy. R. R. Co.	12.23	12.23	
Nov. 28.	O. & F.	Skaneateles R. R. Co.	5.00	5.00	
Sept. 12.	O. & F.	Slate Run R. R. Co.	10.00	10.00	Narrow gauge
Oct. 22.	O. & F.	Somerset Ry. Co.	25.00	25.00	
		Somerset Cy. R. R.	8.70	8.70	Narrow gauge
		Sonoma Vy. R. R.	21.50	21.50	do
Oct. 27.	O. & F.	S. Atl. & O. R. R. Co.	32.00	32.00	Under construction
Sept. 5.	O. & F.	S. Car. Ry. Co.	246.30	246.30	
Sept. 5.	O. & F.	Barnwell R. R. for S. Car. Ry.	9.00	9.00	
Oct. 4.	O. & F.	Sn. Pac. Co.	5,624.44		Southern Pacific sys- tem.
Oct. 4.	O.	do		936.90	
Oct. 4.	O.	do		55.00	
Oct. 4.	O.	do		112.03	
Oct. 4.	O.	do		283.50	
Oct. 4.	O.	do		92.00	
Oct. 4.	O.	do		207.73	
Oct. 4.	O. & F.	do		1,380.66	
Oct. 4.	O.	do		27.20	
Oct. 4.	O.	do		4.53	
Oct. 4.	O. & F.	do		115.44	
Oct. 4.	O. & F.	do		189.64	
Oct. 4.	O.	do		46.51	
Oct. 4.	O.	Sac. Pla. R. R. for Sn. Pac. Co.	47.71	47.71	
Oct. 4.	O.	Sn. Pac. Co.		30.00	
Oct. 4.	O. & F.	do		474.80	
Oct. 4.	O. & F.	do		985.08	
Oct. 4.	O.	do		15.12	
Oct. 4.	O.	do		21.20	
Oct. 4.	O.	do		7.80	
Oct. 4.	O. & F.	do		383.74	
Oct. 4.	O. & F.	do		171.06	

TABLE I.—Classification of railways and mileage.

	1	2
	Name of carrier.	Abbreviated name of road.
	Southern Pacific Company—Continued. 1270 South Pacific Coast Railway Company 1271 Southfield Branch Railroad Company 1272 South Florida Railroad Company 1273 Sanford and Indian River Railroad Company 1274 South Manchester Railroad Company 1275 South Western Arkansas and Indian Territory Railway Company	So. Pac. Cst. Ry Southfield Br. R. R. So. Fla. R. R. Sanfr'd & Ind. R. R. R. So. Manchtr. R. R. S. Wn. Arks. & I. T. Ry.
	1276 Staten Island Rapid Transit Company 1277 Staten Island Railway Company 1278 Sterling Mountain Railway 1279 Stewartstown Railroad Company 1280 Stony Clove and Catskill Mountains Railroad Company 1281 Strasburg Railroad Company 1282 Suffolk and Carolina Railway Company 1283 Suffolk Lumber Railroad Company	Staten Id. R. T. Co Staten Id. Ry Sterling Mt. Ry Stewartstown R. R. Stony C. & C. M. R. R. Strasburg R. R. Sufk. & Car. Ry Sufk. Lumb. R. R.
	1284 Suwanee River Railway Company 1285 Syracuse and Baldwinsville Railroad Company 1286 Syracuse, Ontario and New York Railroad Company 1287 Talladega and Coosa Valley Railroad Company 1288 Tavares, Apopka and Gulf Railroad Company 1289 Tavares, Orlando and Atlantic Railroad Company 1290 Tennessee Central Railroad Company	Suwanee Riv. R. R. Syr. & B. R. R. Syr. Ont. & N. Y. R. R. Talladega & C. V. R. R. Tavares, A. & G. R. R. Tavares, O. & A. R. R. Tenn. C. R. R.
	1291 Tennessee and Coosa Railroad Company 1292 Tennessee Midland Railroad Company 1293 Tennessee and Ohio Railway Company 1294 Terre Haute and Indianapolis Railroad Company 1295 St. Louis, Vandalia and Terre Haute Railroad Company 1296 Terre Haute and Logansport Railroad Company 1297 Terre Haute and Peoria Railroad Company 1298 Texas and Pacific Railway Company	Tenn. & C. R. R. Tenn. Mid. R. R. Tenn. & O. Ry Terre H. & I. R. R. St. L., V. & T. H. R. R. T. H. & L. R. R. T. H. & P. R. R. Tex. & Pac. Ry.
	1299 Harrisburg and San Antonio Railroad Company	do
	1300 New Orleans Pacific Railway Company 1301 Texas, Santa Fé and Northern Railway Company 1302 Texas Trunk Railroad Company 1303 Texas Western Railroad Company 1304 Tionesta Valley Railroad Company 1305 Cherry Grove Railroad Company 1306 Sheffield and Spring Creek Railroad Company	do Tex., S. F. & N. Ry Tex. Trunk R. R. Tex. W. R. R. Tionesta V. R. R. Cherry Grove R. R. S. & S. C. R. R. T., A. & N. M. Ry.
	1307 Toledo, Ann Arbor and North Michigan Railway Company 1308 Toledo, Columbus and Southern Railway Company 1309 Toledo and Ohio Central Railway Company 1310 Toledo, Peoria and Western Railway Company 1311 Toledo, St. Louis and Kansas City Railroad Company 1312 Toledo and South Haven Railroad Company 1313 Tuckerton Railroad Company 1314 Tuskegee Railroad Company	T., A. & N. M. Ry. Tol., Col. & S. Ry Tol. & O. C. Ry Tol. & Peoria & Wn. Ry. T., St. L. & K. C. R. R. Tol. & S. H. R. R. Tuckerton R. R. Tuskegee R. R.
	1315 Ulster and Delaware Railroad Company 1316 Hobart Branch Railroad Company 1317 Kaaterskill Railroad Company 1318 Union Freight Railroad Company 1319 Union Pacific Railway Company 1320 Cheyenne and Northern Railway Company 1321 Colorado Central Railroad Company 1322 Denver and Boulder Valley Railroad Company 1323 Denver, Marshall and Boulder Railroad Company 1324 Denver and Middle Park Railroad Company 1325 Denver, South Park and Pacific Railway Company 1326 Echo and Park City Railway Company 1327 Georgetown, Breckenridge and Leadville Railway Company	Ulster & D. R. R. Hobart B. R. R. Kaats. R. R. U. Frt. R. R. U. Pac. Ry Chey. & N. Ry Col. Cent. R. R. Den. & B. V. R. R. Den. & M. & B. Ry Den. & M. P. R. R. Den., S. P. & P. Ry Echo & P. C. Ry Geotwn., B. & L. Ry.
	1328 Greeley, Salt Lake and Pacific Railway Company 1329 Junction City and Fort Kearney Railway Company 1330 Kansas Central Railroad Company 1331 Lawrence and Emporia Railway Company 1332 Montana Union Railway Company 1333 Oakley and Colby Railway Company 1334 Omaha and Republican Valley Railway Company 1335 Oregon Short Line Railroad Company 1336 Oregon Railway and Navigation Company 1337 Columbia and Palouse Railroad Company 1338 Saint Joseph and Grand Island Railroad Company 1339 Kansas City and Omaha Railroad Company	Greeley, S. L. & P. Ry Jct. C. & F. K. Ry Kans. Cent. R. R. Lawrence & E. Ry. Co. Mont. U. Ry Oakley & C. Ry Omaha & R. V. Ry Oregon S. L. R. R. O. R. & N. Co. C. & P. R. R. St. Jo. & G. I. R. R. Kan. Cy. & O. R. R.

for the year ending June 30, 1888—Continued.

3	4	5	6	7	
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.		<i>Miles.</i>	<i>Miles.</i>		
Oct. 4. O. & F.	Sn. Pac. Co.		104.00	Southern Pacific system.	1270
Sept. 18. O. & F.	Southfield Br. R. R. Co.	1.00	1.00		1271
Sept. 18. O. & F.	So. Fla. R. R. Co.	205.96	188.04	Part of "Plant" system.	1272
Sept. 18. O. & F.	So. Fla. R. R. Co. (lessee) ..		17.32		1273
Oct. 26. O. & F.	So. Mancht. R. R.	2.25	2.25		1274
Oct. 26. O. & F.	S. Wn. Ark. & I. T. Ry. Co. ..	15.00	15.00	Narrow gauge	1275
Sept. 5. O. & F.	Staten Id. Rapid T. Co.	20.70	8.00		1276
Sept. 5. O. & F.	Staten Id. Rapid T. Co. (lessee)		12.70		1277
Sept. 5. O. & F.	Sterling Mtn. Ry. Co.	7.60	7.60		1278
Sept. 24. O. & F.	Stewartstown R. R. Co.	7.20	7.20		1279
Sept. 24. O. & F.	Stony C. & C. M. R. R.	14.00	14.00	Narrow gauge	1280
Dec. 4. O. & F.	Isaac Phenegar (lessee) ..	4.50	4.50		1281
Oct. 13. O. & F.	Sufk. & Car. Ry. Co.	40.00	40.00		1282
Oct. 13. O. & F.	E. E. Jackson & Co., owners ..	27.00	27.00	Lumber road. Narrow gauge.	1283
Oct. 6. O. & F.	Suwanee River Ry. Co.	17.00	17.00		1284
Oct. 6. O. & F.	Syr. & B. R. R. Co.	6.00	6.00		1285
Oct. 6. O. & F.	Syr. Ont. & N. Y. R. R. Co.	45.49	45.49		1286
Oct. 6. O. & F.	T. & C. V. R. R.	17.00	15.00	Narrow gauge	1287
Oct. 6. O. & F.	J. W. Durkee, receiver ..	29.00	29.00	Under construction.	1288
Oct. 6. O. & F.	T. O. & A. R. R.	32.00	32.00		1289
Oct. 6. O. & F.	Tenn. C. R. R.	12.00	12.00	Coal road; narrow gauge.	1290
Oct. 6. O. & F.	Tenn. & C. R. R.	11.50	11.50	Under construction.	1291
Oct. 6. O. & F.	Tenn. M. R. R.	85.00	85.00	do	1292
Oct. 6. O. & F.	T. & O. Ry.	16.00	16.00		1293
Oct. 6. O. & F.	T. H. & I. R. R.	420.90	79.90	Vandalia line	1294
Oct. 6. O. & F.	St. L., V. & T. H. R. R.		158.30		1295
Oct. 6. O. & F.	T. H. & L. R. R.		182.70		1296
Oct. 6. O. & F.	T. H. & P. R. R.	173.13	173.13		1297
Oct. 6. O. & F.	John C. Brown, receiver ..	1,487.00	1,038.00	Texas and Pacific system.	1298
Nov. 7. O.	John C. Brown, receiver of T. & P.		94.00		1299
Nov. 7. O.	do		336.00		1300
Oct. 4. O. & F.	Southern Trust Co.	38.00	38.00	Narrow gauge	1301
Oct. 4. O. & F.	T. T. R. R.	51.00	51.00		1302
Oct. 4. O. & F.	S. Packard, receiver ..	53.00	53.00	Narrow gauge	1303
Oct. 4. O. & F.	T. V. R. R.	37.60	18.00	do	1304
Oct. 4. O. & F.	T. V. R. R. (lessee) ..		11.00		1305
Oct. 4. O. & F.	do		8.00		1306
Oct. 23. O. & F.	T. A. A. & N. M. Ry.	246.00	246.00		1307
Oct. 23. O. & F.	J. M. Ferris, receiver ..	44.70	44.70		1308
Oct. 23. O. & F.	Tol. & O. C. Ry.	225.80	197.30		1309
Oct. 23. O. & F.	T. P. & W. Ry.	247.10	230.10		1310
Oct. 23. O. & F.	T. St. L. & K. C. R. R.	450.00	450.00		1311
Oct. 23. O. & F.	Tol. & S. H. R. R.	37.00	37.00	Narrow gauge	1312
Oct. 6. O. & F.	Tuckerton R. R.	29.00	29.00		1313
Sept. 17. O. & F.	Tuskegee R. R.	5.50	5.50	Narrow gauge	1314
Oct. 1. O. & F.	U. & D. R. R.	75.00	74.00		1315
Oct. 1. O.	do		4.00		1316
Oct. 1. O.	Kaaterskill R. R.	7.50	7.50	Narrow gauge	1317
Oct. 1. O.	U. Frt. R. R.	2.43	2.43	Boston terminal.	1318
Sept. 21. O. & F.	U. P. Ry.	5,298.59	1,823.70	Union Pacific system	1319
Nov. 26. O. & F.	do		125.00		1320
Nov. 12. O. & F.	do		327.88	Narrow gauge, 35.92 mls.	1321
Nov. 26. O. & F.	do		27.00		1322
Nov. 26. O. & F.	do		26.74		1323
Nov. 26. O. & F.	do		4.51	Narrow gauge	1324
Nov. 26. O. & F.	do		325.36	do	1325
Nov. 12. O. & F.	do		30.91		1326
Nov. 12. O. & F.	do		8.47	Narrow gauge	1327
Nov. 12. O. & F.	do		62.50		1328
Nov. 12. O. & F.	do		87.80		1329
Nov. 12. O. & F.	do		166.22	Narrow gauge	1330
Nov. 26. O. & F.	do		30.64		1331
Nov. 26. O. & F.	do		72.22		1332
Nov. 12. O. & F.	do		21.96		

TABLE I.—Classification of railways and mileage

	1	2
	Name of carrier.	Abbreviated name of road.
	Union Pacific Railway Company—Continued.	
1340	Salina, Lincoln and Western Railway Company	Salina, L. & W. Ry. Co.
1341	Salina and Southwestern Railway Company	Salina & S. W. Ry.
1342	Salt Lake and Western Railway Company	Salt Lake & W. Ry.
1343	Solomon Railroad Company	Solomon R. R.
1344	Utah and Northern Railway Company	Utah & Nn. R. R.
1345	Union Railroad Company (of Chattanooga)	U. Ry. Co. (of Chatt.)
1346	Utah Central Railway Company	U. C. Ry. Co.
1347	Utah and Nevada Railway Company	Utah & Nev. Ry.
1348	Vaca Valley and Clear Lake Railroad Company	Vaca V. & C. L. R. R.
1349	Valley Railway (of Ohio)	Valley Ry. (of Ohio)
1350	Versailles and Midway Railroad Company	Versailles & M. R. R.
1351	Vicksburg and Meridian Railroad Company	Vicks. & M. R. R.
1352	Vicksburg, Shreveport and Pacific Railroad Company	V. S. & P. R. R.
1353	Virginia and Truckee Railroad Company	Virg. & T. R. R.
1354	Visalia Railroad Company	Visalia R. R.
1355	Wabash, Chester and Western Railroad Company	Wab., C. & Wn. R. R.
1356	Wabash, St. Louis and Pacific Railroad Company	Wab., St. L. & P. Ry.
1357	Wabash Western Railroad Company	Wab. Wn. Ry.
1358	Attica, Covington and Southern Railroad Company	Attica, C. & S. R. R.
1359	Boone County and Booneville Railroad Company	Boone Co. & B. R. R.
1360	Brunswick and Chillicothe Railroad Company	Brun. & C. R. R.
1361	Champaign and Sidney Railroad Company	Champ. & S. R. R.
1362	Des Moines and St. Louis Railroad Company	Des M. & St. L. R. R.
1363	Detroit, Butler and St. Louis Railroad Company	Det., B. & St. L. R. R.
1364	Eel River Railroad Company	Eel R. R.
1365	St. Louis, Council Bluffs and Omaha Railroad Company	St. L., C. B. & O. R. R.
1366	Walden's Ridge Railroad Company	Walden's Edge. R. R.
1367	Wallkill Valley Railroad Company	Wallk. Vy. R. R.
1368	Warren and Farnsworth Railroad Company	Warren & F. R. R.
1369	Washington and Potomac Railroad Company	Wash. & Pot. R. R.
1370	West Branch and Moorestown Railroad Company	W. B. & M. R. R.
1371	West Feliciana Railroad Company	W. Fel. R. R.
1372	West and Atlantic Railroad Company	W. & A. R. R.
1373	Western Branch Railroad Company	Wn. Branch Ry.
1374	Western Maryland Railroad Company	Wn. Md. R. R.
1375	Baltimore and Cumberland Valley Railway Company	Balt. & Cumb. V. Ry.
1376	Baltimore and Cumberland Valley Railroad Company	Balt. & Cumb. V. R. R.
1377	Baltimore and Cumberland Valley Railroad Extension	Balt. & Cumb. V. Ry. Ext.
1378	Baltimore and Harriaburg Railroad Company	Balt. & H. R. R.
1379	Western New York and Pennsylvania Railroad Company	Wn. N. Y. & Pa. R. R.
1380	Bradford and Kinzua Railroad Company	B. & K. R. R.
1381	Genesee Valley Canal Company	Gen. V. Can.
1382	Genesee Valley Terminal Railroad Company	Gen. V. Term. R. R.
1383	Kendall and Eldred Railroad Company	K. & E. R. R.
1384	McKeon and Buffalo Railroad Company	McK. & Buf. R. R.
1385	Olean, Bradford and Warren Railroad Company	O., B. & W. R. R.
1386	Western Railway Company of Florida	Wn. Ry. of Fla.
1387	Green Cove and Midland Railway Company	Gr'n Cove & Mdl'n'd Ry.
1388	West Virginia Central Railway Company	W. Va. Cent. Ry.
1389	Piedmont and Cumberland Railway Company	Piedmont & Cumb. Ry.
1390	Weston and Buckhannon Railroad Company	West'n & B. R. R.
1391	Wheeling and Elm Grove Railroad Company	Wheeling & Elm G. R. R.
1392	Wheeling and Lake Erie Railway Company	Wheeling & L. E. Ry. Co.
1393	Toledo Belt Railway Company	Toledo B. Ry.
1394	Whitneyville and Machiasport Railroad Company	Whitnyv. & M. R. R.
1395	White Water Railroad Company	White W. R. R.
1396	Wicomico and Pocomoke Railroad Company	Wicomico & P. R. R.
1397	Wilkesbarre and Western Railway Company	W'ksb'rre & Wn. Ry.
1398	Williamsport and North Branch Railroad Company	Will. & No. Br. R. R.
1399	Wilmington, Chadbourn and Conway Railroad Company	Wilm. Chad. & C. R. R.
1400	Wilmington and Northern Railroad Company	Wilm. & Nor. R. R.
1401	Winifrede Railroad Company	Winifrede R. R.
1402	Wisconsin Central Railroad Company	Wis. Cent. R. R.
1403	Milwaukee and Lake Winnebago Railroad Company	Milwaukee & Lake W. R. R.
1404	Packwaukee and Montello Railroad Company	Packwaukee & Mont. R. R.
1405	Chicago, Wisconsin and Minnesota Railroad Company	Chic. Wis. & Minn. R. R.
1406	Minnesota, St. Croix and Wisconsin Railroad Company	Minn. St. C. & Wis. R. R.
1407	Penokee Railroad Company	Penokee R. R.
1408	Wisconsin and Minnesota Railroad Company	Wisconsin & Minn. R. R.
1409	Wisconsin, Pittsville and Superior Railway Company	Wis. Pitt. & Sup. Ry.
1410	Milwaukee, Dexterville and Northern Railway Company	Mil. D. & N. Ry.

for the year ending June 30, 1888—Continued.

3	4	5	6	7	
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.	
1888.		<i>Miles.</i>	<i>Miles.</i>		
Nov. 12. O. & F.	U. P. Ry. Co.		73.16	Union Pacific system.	1340
Nov. 12. O. & F.	do		35.45		1341
Nov. 12. O. & F.	do		58.04		1342
Nov. 12. O. & F.	do		57.04		1343
Nov. 12. O. & F.	do		408.45	Narrow gauge—in part.	1344
	U. Ry. Co. (of Chatt.)	34.00	34.00	Transfer road	1345
	U. C. Ry. Co.	280.00	280.00		1346
	U. & Nev. Ry. Co. for U. P. Co.	37.00	37.00	Narrow gauge	1347
	V. & C. L. R. R.	28.55	28.55		1348
Oct. 1. O. & F.	Valley Ry. (of Ohio)	76.00	76.00		1349
	V. & M. R. R. Co.	7.88	7.88		1350
Sept. 13. O. & F.	do	143.39	143.39	Part of "Queen and Crescent" system.	1351
Sept. 13. O. & F.	V. S. & Pac. R. R. Co.	170.69	170.69	do	1352
	V. & T. R. R. Co.	52.20	52.20		1353
	Visalia R. R. Co.	7.33	7.33		1354
Sept. 14. O. & F.	W. C. & W. R. R. Co.	42.26	42.26		1355
Sept. 19. O. & F.	John McNulta, receiver.	948.20	921.90	Wabash system	1356
Sept. 18. O. & F.	Wab. Wn. Ry. Co.	1,001.90	432.10		1357
Sept. 18. O.	Wab. Wn. Ry.		14.50		1358
Sept. 18. O.	do		21.80		1359
Sept. 18. O.	do		38.00		1360
Sept. 18. O.	do		11.60		1361
Sept. 18. O.	do		67.30		1362
Sept. 18. O.	do		113.50		1363
Sept. 18. O.	do		93.00		1364
Sept. 18. O.	do		41.70		1365
Nov. 15. O. & F.	Wal. Rdge. R. R. Co.		23.00		1366
	Wallk. Vy. R. R. Co.	33.46	33.46		1367
	W. & F. R. R. Co.	15.26	15.26	Narrow gauge	1368
	W. & P. R. R. Co.	22.20	22.20		1369
	W. B. & M. R. R. Co.	10.50	10.50	Narrow gauge	1370
	W. Fel. R. R. Co.	25.63	25.64		1371
Sept. 15. O. & F.	W. & A. R. R. Co.	138.00	138.00		1372
Nov. 12. O.	Wn. Branch Ry. Co.	31.35	31.35		1373
Oct. 29. O. & F.	Wn. Md. R. R. Co.	124.10	90.00		1374
Oct. 29. O.	do		3.03		1375
Oct. 29. O.	do		4.55		1376
Oct. 29. O.	do		26.52		1377
Oct. 29. O. & F.	B. & H. R. R. Co. for Wn. Md. R. R. Co.	66.50	66.50		1378
Nov. 5. O. & F.	W. N. Y. & Pa. R. R.	623.70	430.19		1379
Nov. 5. O.	do		26.00	Narrow gauge	1380
Nov. 5. O.	do		98.90		1381
Nov. 5. O.	do		2.46		1382
Nov. 5. O.	do		18.00	Narrow gauge	1383
Nov. 5. O.	do		22.15		1384
Nov. 5. O.	do		26.00	Narrow gauge	1385
	Wn. Ry. of Florida	16.50	6.50	do	1386
	do		10.00		1387
	W. Va. Central Ry. Co.	90.00	60.00		1388
	do		30.00		1389
Oct. 31. O. & F.	W. & B. R. R. Co.	15.25	15.25	Narrow gauge	1390
Sept. 5. O. & F.	W. & E. G. R. R. Co.	6.00	6.00		1391
Sept. 25. O. & F.	W. & L. E. Ry. Co.	190.20	186.00		1392
Sept. 25. O.	do		4.20		1393
Oct. 26. O. & F.	W. & M. R. R. Co.	8.50	8.50		1394
	W. W. R. R. Co.	65.00	65.00		1395
Nov. 13. O. & F.	W. & P. R. R. Co.	31.00	31.00		1396
	W. & W. Ry. Co.	22.10	22.10		1397
Sept. 13. O. & F.	W. & N. B. R. R. Co.	27.00	27.00		1398
Sept. 22. O. & F.	W. C. & C. R. R. Co.	39.17	39.17		1399
Oct. 16. O. & F.	W. & N. R. R. Co.	92.10	86.74		1400
Sept. 7. O. & F.	W. R. R. Co.	6.00	6.00		1401
Nov. 26. O.	J. A. Stewart & E. H. Abbott, trustees.	417.36	344.23	Wisconsin Central system.	1402
Nov. 26. O.	J. A. Stewart & E. H. Abbott, trustees Wia. C. R. R.		65.28		1403
Nov. 26. O.	do		7.85		1404
Nov. 26. O.	do	130.00	130.00		1405
Nov. 26. O.	do	110.96	100.46		1406
Nov. 26. O.	do			No mileage given	1407
Nov. 26. O.	do	54.00	54.00		1408
Oct. 15. O. & F.	W. P. & S. Ry. Co.	37.29	20.29		1409
Oct. 15. O.	do		17.00		1410

TABLE I.—*Classification of railways and mileage*

	1	2
	Name of carrier.	Abbreviated name of road.
1411	Wood River Branch Railroad Company	Wood Riv. Br. R. R.
1412	Woodstock Railroad Company	Woodstock R. R.
1413	Worcester and Shrewsbury Railroad Company	Worcester & Shrabry R. R.
1414	York Harbor and Beach Railroad Company	York H. & B. R. R.
1415	York and Peach Bottom Railroad Company	Y. & P. B. R. R.
1416	Youghiogheny Railroad Company	Yough. R. R.
1417	Zanesville and Ohio River Railroad Company	Z. & O. R. R.
1418	Zealand Valley Railroad Company	Z. V. R. R.

for the year ending June 30, 1888—Continued.

3	4	5	6	7
Date of filing report. (Operating or financial.)	How operated.	Length of line oper- ated.	Length of line owned.	Remarks.
1888.		<i>Miles.</i>	<i>Miles.</i>	
Oct. 24 O. & F.	W. R. B. R. R. Co.	5.70	5.70	1411
Oct. 12 O. & F.	W. R. R. Co.	14.00	14.00	1412
	W. & S. R. R. Co.	2.70	2.70	1413
	Y. H. & B. R. R. Co.	11.27	11.27	1414
	Y. & P. B. R. R. Co.	40.00	40.00	1415
	Yough. R. R. Co.	12.00	12.00	1416
	Z. & O. R. R. Co.	80.00	80.00	1417
	Z. V. R. R. Co.	7.75	7.75	1418



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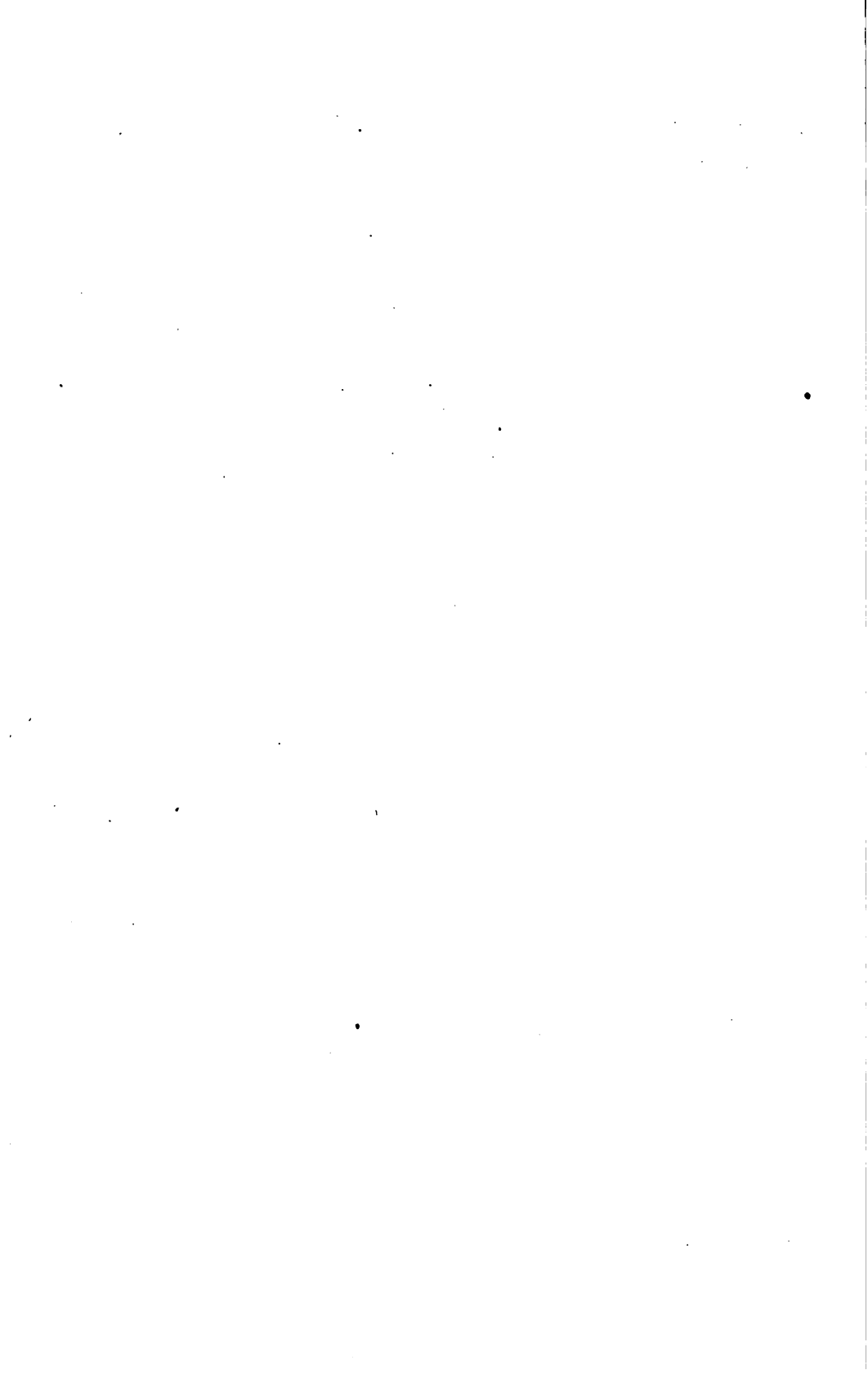
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